

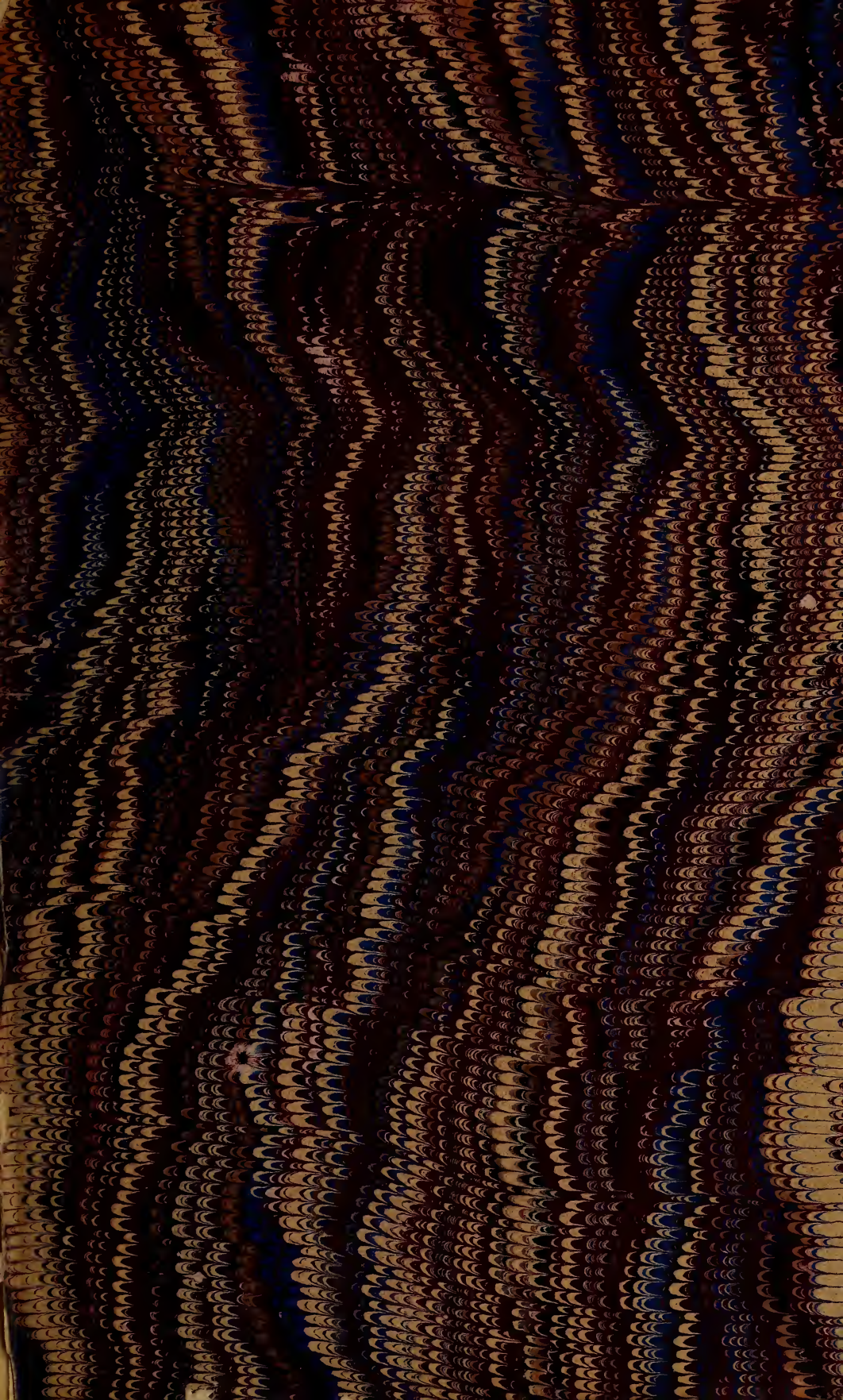




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Toronto. Ordinances

BY-LAWS
OF THE
CITY OF TORONTO,

PRACTICAL UTILITY AND GENERAL APPLICATION;

COLLATED

WITH A VIEW TO CONVENIENT REFERENCE

FROM THE LARGE VOLUME OF BY-LAWS,

PRINTED AND PUBLISHED, AFTER REVISION AND CONSOLIDATION,

BY

THE SPECIAL BOARD OF COMMISSIONERS

APPOINTED BY THE MUNICIPAL COUNCIL.



SAMUEL BICKERTON HARMAN, ESQUIRE,
MAYOR.

PRINTED AND PUBLISHED BY ORDER OF THE MUNICIPAL COUNCIL.

TORONTO :
HENRY ROWSELL,
1870.

166868.
8/11/21

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PREFATORY NOTICE.

THE By-laws of the City of Toronto, never having been uniformly printed or published, but for the most part existing only in manuscript, from the date of the incorporation of the City in 1834, a Board of Commissioners was appointed by the Municipal Council, on the 14th May, 1866, to have the same "carefully examined, and after such examination, duly revised, consolidated, and published in a convenient form for reference."

The labours of the Commission were not brought to a close until the commencement of the present year, the Commissioners explaining in the Preface to the large volume they have issued, that "from the very nature of the work entrusted to them involving a patient and careful examination of between four hundred and five hundred By-laws, the result of civic legislation extending over more than a third of a century, and the difficulties they necessarily experienced amid their other public and private avocations, in devoting continuous application thereto, the accomplishment of a work, the necessity and importance of which is universally admitted, has occupied more time than was at first anticipated."

In the same Preface they state that "foreseeing the bulk it would attain, it was considered advisable, while the type was standing, to publish simultaneously a smaller volume, entitled 'By-laws of Practical Utility and General Application,' containing those By-laws which have to be more frequently referred to, and for the infraction of which penalties may be incurred."

Hence the publication of this more convenient volume or manual.

SAMUEL B. HARMAN, *Mayor,*
Chairman of Commissioners.

CITY HALL, TORONTO,
1st March, 1870.



B Y - L A W S
OF
PRACTICAL UTILITY AND GENERAL APPLICATION,
COLLATED FROM
THE CONSOLIDATED BY-LAWS
OF THE
CITY OF TORONTO.

No. 198.

An Act to prevent the erection of Buildings
on, or Trespass of any kind upon the
Public Lands of this City.

PASSED 7TH MARCH, 1853.

WHEREAS it is expedient to prohibit the erection of buildings, fences or other obstructions of any kind, and to prohibit the placing of timber, iron or other materials whatsoever upon lands reserved for public purposes :

Be it therefore enacted by the Mayor, Aldermen and Commonalty of the City of Toronto :

1. That from and after the passing of this Act it shall not be lawful for any body corporate, company of persons, or for any person, to trespass upon any piece or parcel of land within the City of Toronto, which may have heretofore been set apart and devoted, or which may hereafter be set apart and devoted, either by the Provincial Government, or by any public officer or private individual, for the use of the citizens, whether as a public square or as a walk or place of recreation or otherwise. Trespassing prohibited on the public property.

2. That it shall not be lawful for any body corporate, company of persons, or for any person, to excavate, dig up or remove any earth from any lands so set apart or devoted Excavating or removing earth from public lands or incumbering the same.

No. 198.
Trespassers on
the public lands.

to the use of the citizens as aforesaid, or to place any earth, stone or other incumbrance whatsoever upon any land so set apart and devoted as aforesaid.

Provisions of this
By-law to apply
to all public
highways.

3. That the provisions of this Act shall extend to all public highways, streets, esplanades, roads or other reserved spaces of every kind whatsoever, whether the same be in actual use or not.

Authority to the
City Engineer to
remove buildings
incumbrances, &c
from public lands.

4. That it shall and may be lawful for the City Engineer to pull down and remove, or cause to be pulled down and removed, any building, fence, or other erection erected or put up upon any lands so set apart or devoted to the use of the citizens as aforesaid, and to remove, or cause to be removed, any timber, stone, iron or other incumbrance from the lands so set apart and devoted.

5. Repealed by By-law No. 484, section 2.

Penalty.

6. That any person or persons guilty of an infraction of any of the provisions of this By-law, shall upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of Fifty dollars, for each offence, together with the costs of prosecution; and in default of payment thereof forthwith, it shall and may be lawful for the Mayor,

Distress in de-
fault of payment.

Police Magistrate, or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate and Justice or Justices, or any two or more of them, are acting together therein, then under the hand and seal of one of them, to levy the said penalty, and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the Common Jail of the said City of Toronto, with or without hard labor, for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

Commitment in
default of dis-
tress.

No. 277.

No. 277.
The Exhibition
Park.

By-law to provide for the management and maintenance of an Exhibition Park.

PASSED 11TH APRIL, 1859.

WHEREAS His Excellency the Governor General in Council, did by letters patent, issued on the twenty-first day of October, one thousand eight hundred and fifty-eight, grant unto the City of Toronto certain lands situated in the said City, forming part of the lands known as the Garrison Reserve :

And whereas certain considerations are attached to the said grant :

And whereas certain buildings have been erected on the property granted as aforesaid for the purpose of holding Exhibitions :

And whereas it is expedient to make provision for the management of the said property in accordance with the conditions of the said grant :

Therefore the Council of the Corporation of the City of Toronto enacts as follows :

1. That the property granted as above recited, together with the buildings erected thereon, with the exception of so much of the ground as is hereinafter mentioned be used as a Public Park, for the use and recreation of the citizens, and as a place for the holding of the Provincial, County, the several Electoral Division and Township Exhibitions of Agricultural Products, Arts and Manufactures under the management of the several Associations organized by Act of Parliament, and also for such Horticultural and other Exhibitions or purposes as may be from time to time authorized, ordered or permitted by resolution of the Council.

The purposes for which the grounds are to be used.

No. 277.
The Exhibition
Park.

The grounds to
be called the Ex-
hibition Park.

2. The ground set apart for the uses mentioned in the preceding section shall be known and referred to as "The Exhibition Park," and it shall be designated as such in all acts, orders, and resolutions of the Council.

The receipts of
the Park to be
placed at the cre-
dit of the "Exhi-
bition Fund.

3. That all moneys granted by the Council for the purposes herein named, all moneys that may be granted by the Associations privileged to use the said Park in aid of the objects for which it is set apart, and all moneys that may be received for the use thereof from parties to whom its use may be granted by the Council, as herein provided, shall be placed to the credit of a fund to be known, and for which an account shall be kept in the Chamberlain's books, as the "Exhibition Fund."

The manner in
which the Exhi-
bition Fund is to
be disbursed.

4. The Exhibition Fund shall be disbursed for the following purposes, and no other, namely: 1. Fencing, ornamenting, lighting, and improving that portion of the Exhibition Park designated in the plan hereunto annexed, and lettered C. and D. 2. For enlarging, ornamenting, lighting, completing and maintaining in repair, the buildings situated in the Park aforesaid, as may from time to time be considered requisite for the more convenient holding of Exhibitions therein. 3. For erecting and maintaining such permanent stalls, pens or other convenient buildings as may be needed for the purposes aforesaid. 4. For erecting and maintaining an engine to be used in driving machinery that may be exhibited.

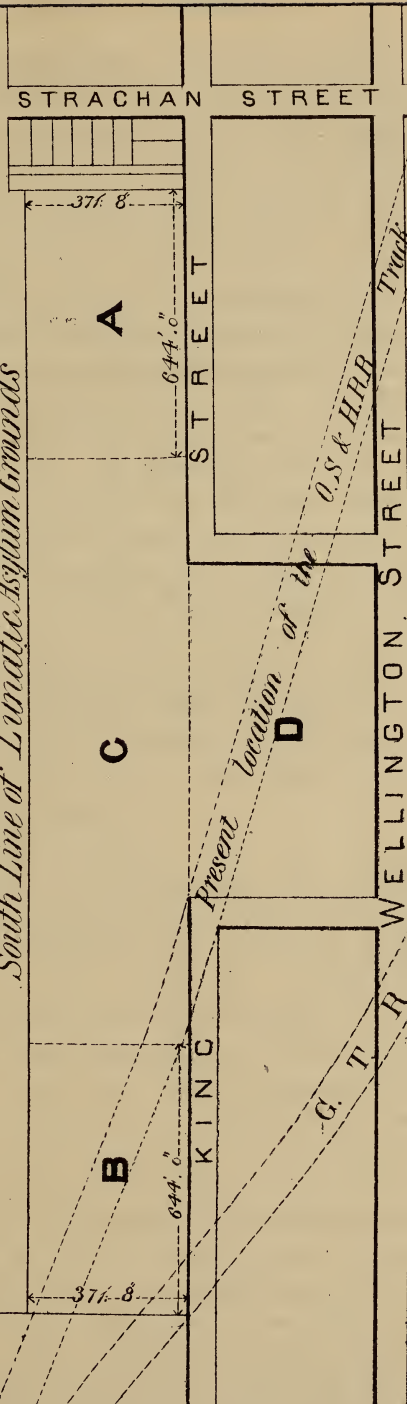
Regulations for
the use of the
Park and Build-
ings.

5. The Exhibition Park and Buildings may be used for the purposes named in this Act, upon first obtaining the leave of the Council, under the following regulations and restrictions only: 1. The Provincial, the City Electoral Division, the County Electoral Division and Township Agricultural Associations, the Board of Arts and Manufactures, and the Horticultural Society, may hold their regularly appointed Exhibitions therein free of cost: Provided always, that they shall make good all and every

PLAN OF THE EXHIBITION GROUNDS TORONTO

See By-law 271.

South Line of Lunatic Asylum Grounds



*Thomas Booth,
City Surveyor,
Jan. 22^d, 1882*

damage done to the said Buildings and Park, or to any shrubberies, trees, or ornamental works therein during the period of their respective Exhibitions, during the preparations connected therewith, and also during the removal of the property exhibited; that they shall vacate the said grounds and premises so soon as their respective Exhibitions have terminated; and that they shall pay all expenses of fuel, gas, water, gatekeepers, caretakers, insurance and all other expenses whatsoever connected with the maintenance and preservation of the said premises during the time they may respectively occupy them. 2. The Provincial Agricultural Association shall have precedence in the use of the said Park and Buildings, whenever it shall decide to hold its annual fair in this City, after which the several Electoral Division Societies, the County Associations, the Township Associations, the Board of Arts and Manufactures, and the Horticultural Society shall have precedence in the order in which they are named; and at all times when the grounds and premises are not in actual use for purposes connected with the Exhibitions aforesaid, the use thereof may be permitted by the Council for any other purpose whatever, upon such terms as the Council may by resolution agree to.

No. 277.
The Exhibition
Park.

Damage to be
made good by
the institutions
using the same.

Other conditions
for using the
Park and Build-
ings.

Precedence in the
use of the Park
and Buildings.

6. During the days of the Exhibitions aforesaid,—which shall not exceed (unless the Council by resolution otherwise order) for an Electoral Division Society or County Agricultural Associations, each two weeks, for a Township Agricultural Association, one week, for the Board of Arts and Manufactures and the Horticultural Society, each two weeks in any one year,—the said Associations or Societies may charge for admission to the said Park and Buildings, such sum as may be determined on, not exceeding, however, twenty-five cents for each person; but at all other times the Park shall be free of access to all peaceable persons, and the money so collected shall be for the benefit of the Associations or Societies whose Exhibition is then being held: Provided always, that the cost of repairing any damage that may have been committed on the property during the time of holding or preparing to hold such Exhibition, and the cost of gas and water, if any is used for the

Time for which
the Exhibitions
may be held.

Price of admis-
sion to the Park
and Buildings.

Cost of repairs to
be the first charge
on moneys col-
lected.

No. 235.
The Public Free
Market or Fair.

purposes thereof, and all other proper expenses incurred by the City, whether by police, or otherwise, shall be a first charge on the money so collected.

The Council may
open the build-
ings to the public
free of charge,
except during an
Exhibition.

7. If however the Council shall so direct by resolution, the buildings or any of them shall be open to the public free of charge, excepting during the holding of any of the Exhibitions above named, but at all other times the buildings shall remain closed, or a charge for admission as herein provided, or as the Council may from time to time direct may be charged.

No. 285.

By-law to establish a periodical Public Free Market or Fair in the City of Toronto.

PASSED 7TH JULY, 1859.

WHEREAS it would be beneficial to the public to establish a free market or fair in the City at certain times of the year :

Therefore the Corporation of the City of Toronto, by the Council thereof, enacts as follows :

A public free
market or fair
established.

1. That a public free market or fair shall be, and is hereby established in and for the City.

The market or
fair to be held
at the Exhibition
grounds or other
place appointed
by the Council.

2. Such market or fair shall be held at the public Exhibition Grounds at the west end of the City, or at such other place in the City as the Council may from time to time, by resolution to be passed at least twenty days before the day for holding the same, appoint.

When the mar-
ket or fair shall
be held.

3. The time for holding the same shall be upon the third Wednesday and Thursday in May ; third Wednesday and Thursday in August ; second Wednesday and Thursday in October ; or upon such other day or days as the Council may, by resolution to be passed at least twenty days before the day for holding such market or fair, appoint.

4. The market or fair shall be held for the purpose of exhibiting and buying and selling all kinds of agricultural live stock ; all kinds of fruit, grain, meal, flour and vegetables ; all other kinds of agricultural produce ; all agricultural and other machines and machinery ; and all articles of home manufacture.

No. 285.
The Public Free
Market or Fair.

The purposes for
which the mar-
ket or fair shall
be held.

5. No fee shall be charged or demanded for exhibiting, buying, or selling, any such stock, animals or articles, in the market or fair.

No fees to be
charged for exhi-
biting, buying or
selling thereat.

6. All persons exhibiting or selling at the market or fair shall arrange their stock, animals or articles, in such manner, order and place, as the person or persons to be appointed by the Council for such purpose shall direct.

Exhibitors to ar-
range their stock
as directed.

7. In case any person shall disobey such direction, or be riotous, quarrelsome, or disorderly, he shall be disentitled, and shall not be allowed to exhibit or sell at the said market or fair.

Disorderly per-
sons not to exhi-
bit at the market.

8. In any of the cases last mentioned, the person or persons appointed as aforesaid, shall have power to remove the stock, animals, or articles, of any one so offending, from the ground, and to such reasonable distance therefrom as he may think expedient.

Power to remove
from the grounds
the property of
disorderly per-
sons.

9. The person or persons so appointed shall have power to remove from the ground all animals or articles which are dangerous, or which in his opinion, are not properly secured or protected.

Dangerous ani-
mals to be re-
moved.

10. The person or persons so to be appointed shall be under the control of the Committee on Public Markets.

Managers of the
fair to be under
the control of the
Committee on
Public Markets.

11. The Committee shall have power to frame such rules and regulations for the management and governance of the market or fair, and all persons frequenting the same as they shall think fit, which are not inconsistent with law or with this By-law.

The Committee
on Public Mar-
kets to frame
rules and regula-
tions.

No. 322.
The Public Parks.

Such rules and regulations to be referred to the Council.

When they are to take effect.

12. Such rules and regulations shall be laid before the Council for at least two weeks before the same shall take effect, and unless they are revoked or altered by the Council within that time they shall take effect as submitted by the Committee at the end of such period; and in case they are altered by the Council, they shall take effect as so altered, at the end of such period.

No. 322.

By-law to provide for the maintenance and care of Public Parks, Squares and Grounds.

PASSED 30TH JULY, 1860.

THE Corporation of the City of Toronto, by the Council thereof, enacts as follows:

Committee on Public Walks and Gardens to have the care of the Public Parks, Squares and Grounds.

1. The Committee on Public Walks and Gardens shall have the care and custody of all the public squares, parks and grounds belonging to the City, subject to all such By-laws as may from time to time be passed by the said Council, but no more money shall be expended thereon than is appropriated by the Council for that purpose.

Disorderly and bad characters to be excluded and removed therefrom.

2. It shall be lawful for any police officer, constable, caretaker or other person duly authorized by the Mayor or any Alderman of the said City, to exclude from the said public squares, parks and grounds all drunken or filthy persons, vagrants and notoriously bad characters, and to remove therefrom any person who is violating any By-law of the City Council, or is committing any nuisance, or is guilty of any disorderly conduct therein.

Immoderate riding or driving.

3. No person shall ride or drive any horse in, upon or through any of the public squares, parks or public grounds at an immoderate rate, or so as to incommode or interfere with, or endanger other parties frequenting the same.

Riding or driving on the turf or sward.

4. No person shall ride or drive any animal or vehicle on any turf or green sward in any part of the parks or squares, nor in any part thereof other than in the roads set apart as carriage drives.

5. No person shall be allowed to use the roads in any of the said public squares, parks and grounds for the purpose of teaming or carting heavy loads over or upon the same.

No. 322.
The Public Parks
Carting heavy loads upon the roads.

6. No person shall dig or carry away any of the sward, gravel, earth, sand or turf in or from any part of the said public squares, parks or grounds except by permission of the said committee and for some public purpose.

Digging or removing earth, gravel or turf.

7. No person, except by permission of said committee shall climb, break, peel, cut, deface, remove, injure or destroy any of the trees or shrubs, flower roots or grass now growing or being, or which shall hereafter be planted in the said public squares, parks or grounds, or in any street or public place within the city.

Injuring trees or shrubs

8. No person shall, except with the like permission as aforesaid, in any manner carry or cause to be carried into any of the said public squares, parks or grounds any dead carcase, ordure, filth, dirt, stone, or any offensive matter or substance whatsoever, and no person shall commit any nuisance in the said public squares, parks or grounds.

Carrying dirt or other matter into squares.
No nuisance to be committed.

9. No person shall shake or otherwise cleanse any carpet in any of the public squares, parks or grounds of the City.

Shaking or cleansing carpets.

10. No owner or keeper of any horse, grazing cattle or swine shall suffer the same to go at large, or to feed upon any of the said public squares, parks or grounds, and any horse, cattle or swine found at large therein shall be impounded and detained by any of the poundkeepers of the City until the payment of the like sum, as provided in the present or in any future pound law, together with the costs and charges of impounding and keeping the same.

Horses, grazing cattle, and swine, to be impounded.

11. No person shall play at football, or throw stones or snowballs within any of the public squares, parks or grounds or shoot with or use a bow and arrow, or play any game therein, without permission of the said committee.

Throwing stones and games prohibited without permission.

No. 322.
The Public Parks

Shooting or fire-
works prohibited
without permis-
sion.

12. No person shall fire off or discharge any gun, or fowl-
ing-piece, or fire-arms upon any of the said public squares,
parks or grounds, or offer for sale, or sell therein, any fire-
works of any kind, or set fire to or let off the same, without
the permission of the said committee.

Sale of refresh-
ments.

13. No person shall expose for sale in any of the said
public squares, parks or grounds, refreshments of any kind
without the permission of the said committee, and such sale
shall not be permitted on the Sabbath day, under any pre-
tence whatsoever.

Gambling and
unlawful games.

14. No person shall expose in any public square, park or
grounds of the City, any table or device of any kind what-
soever, upon or by which any game of hazard or chance
can be played, and no person shall play at any such table
or device, or at cards or any unlawful game in any of the
said public squares, parks or grounds.

15. Repealed by By-law No. 484, section 2.

Walking on the
grass or sward.

16. No person shall walk on the grass or sward of any
such walks or parks when the same is unfit to walk upon,
and when properly prohibited so to do by any person in
authority.

Riding or driving
prohibited when
the ground is
unfit.

17. No person shall be allowed to drive or ride into any
part of the said public squares, parks or grounds if prohibited
so to do by any person in authority when the ground is unfit
for driving or riding thereon.

Injuring the pub-
lic property.

18. No person shall break or injure any of the gates,
locks, bolts or fences, or any of the seats or benches for the
accommodation of the public, or any other of the City pro-
perty.

Penalty.

19. That any person or persons guilty of an infraction
of any of the provisions of this By-law, shall upon con-
viction before the Mayor, Police Magistrate, or any Justice
or Justices of the Peace for the City of Toronto, on the
oath or affirmation of any credible witness, forfeit and

pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of Fifty dollars, for each offence, together with the costs of prosecution; and in default of payment thereof forthwith, it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate and Justice or Justices, or any two or more of them, are acting together therein, then under the hand and seal of one of them, to levy the said penalty, and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the Common Jail of the said City of Toronto, with or without hard labor, for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

No. 353.
Street Railways.

Distress in default of payment.

Commitment in default of distress.

No. 353.

By-law respecting Street Railways.

PASSED 22TH JULY, 1861.

WHEREAS by certain articles of agreement bearing date the twenty-sixth day of March, in the year of our Lord one thousand eight hundred and sixty-one, the Corporation of the City of Toronto agreed with one Alexander Easton as follows: "Articles of agreement had, made and concluded this twenty-sixth day of March, in the year of our Lord one thousand eight hundred and sixty-one, between the Corporation of the City of Toronto of the first part, and Alexander Easton of the village of Yorkville, of the second part: Whereas divers inhabitants of the City of Toronto, have petitioned the Common Council of the City of Toronto to sanction the construction of street railways in, along and upon the streets of the said City, and the said party of the second part hath proposed to

No. 353.
Street Railways.

construct and operate such street railways upon the streets hereinafter mentioned, and the said Common Council did on the fourteenth day of the present month of March, accept such proposals by the following resolutions : First, That Alexander Easton be authorized to lay down street railways of approved construction on any of the streets of this City, such railways being of approved construction, and worked under such regulations as may be necessary for the protection of the citizens : Second, All works necessary for constructing and laying down the several railway tracks shall be made in a substantial manner, according to the best modern practice under the supervision of the City Surveyor, or such other officer as the Council shall appoint for this purpose, and to the satisfaction of the Council : Third, The roadway between and within, at least one foot six inches from and outside of each rail shall be paved or macadamized and kept constantly in good repair by the said Easton, who shall also be bound to construct and keep in good repair crossings of a similar character to those adopted by the Corporation within the limits aforesaid, at the intersection of every such railway track and cross streets : Fourth, The tracks shall conform to the grades of the various streets through which they will run, as furnished by the City Surveyor or such other officer as aforesaid, and shall not in any way change or alter the same : Fifth, The location of the line of railway in any of the streets shall not be made, until the plans thereof, shewing the position of the rails and other works in each street, shall have been submitted to and approved of by the City Surveyor, or such other officer as aforesaid : Sixth, The City authorities shall have the right to take up the streets traversed by the rails either for the purpose of altering the grades thereof, constructing or repairing drains, or for laying down or repairing water or gas pipes, and for all other purposes within the province and privileges of the Corporation, without being liable for any compensation or damage that may be occasioned to the working of the railway or to the works connected therewith : Seventh, The rail to be employed for the said railway shall be the flat rail, such as is now used in the City of Philadelphia, with

such modifications as the Council, on the recommendation of the City Surveyor or other officer as aforesaid, may decide to adopt, and the cars shall be constructed in the most modern style: Eighth, The railway shall not be opened to the public nor put in operation until the sanction of the Council has been previously obtained by means of a special resolution to that effect, and such sanction shall only be granted upon a certificate from the City Surveyor, or other officer especially appointed for that purpose, declaring the said road to be in good condition and constructed conformably to the conditions prescribed by the agreement on that behalf: Ninth, Each car employed on the railway shall be numbered, and none shall be used, unless under a license for that purpose, for which license the said proprietor shall pay the annual sum of five dollars: Tenth, The cars shall be run over the whole of the tracks herein mentioned at least sixteen hours in summer and fourteen hours in winter on each day, and at intervals of not less than thirty minutes, and no car shall run on Sundays: Eleventh, The speed of the cars shall never exceed six miles per hour: Twelfth, The conductors shall announce to the passengers the names of the streets and public squares as the cars reach them: Thirteenth, The cars shall be used exclusively for the conveyance of passengers: Fourteenth, When the accumulation of snow or ice on the roadway shall be such as to impede the traffic, every means shall be used to clear the track, and while impeded sufficient sleighs shall be provided for the accommodation of the public: Fifteenth, No higher rate than five cents shall be charged for the conveyance of each passenger on the line: Sixteenth, The proprietor or proprietors shall be liable for all damages arising out of the construction or operation of the railways: Seventeenth, Should the proprietor neglect to keep the track or the roadway or crossings between and on each side of the rails in good condition or to have the necessary repairs made therein, the City Surveyor or other proper officer shall give notice thereof requiring such repairs to be made forthwith, and if not made within a reasonable time, the said Surveyor or other officer as aforesaid shall cause the repairs to be made, and the amount so expended may

No. 353.
Street Railways.

be recovered against the said proprietors in any Court of competent jurisdiction: Eighteenth, The privilege granted by the present agreement, shall extend over a period of thirty years from this date, but at the expiration thereof, the Corporation may after giving six months' notice prior to the expiration of the said term, of their intention, assume the ownership of the railway and all real and personal property in connection with the working thereof on payment of their value, to be determined by arbitration, and in case the Corporation should fail in exercising the right of assuming the ownership of the said railway, at the expiration of thirty years as aforesaid, the Corporation may, at the expiration of every five years to elapse after the first thirty years exercise the same right of assuming the ownership of the said railway, and of all real and personal estate thereunto appertaining, after one year's notice, to be given within the twelve months immediately preceding the expiration of every fifth year as aforesaid, and on payment of their value to be determined by arbitration: Nineteenth, Should the proprietors at any time give up the railway or cease to exercise the privilege hereby granted to them for a period of six months they shall forfeit the entire property including the rails, cars, &c., to the benefit of the Corporation: Twentieth, The agreement to be made hereunder shall only have effect after the legislation necessary for legalizing the same, shall have been obtained: Twenty-first, The rails shall be laid down on Queen Street from Yonge Street to the Asylum; on King Street from the River Don to Bathurst Street, and on Yonge Street from King Street to Bloor Street: Twenty-second, The track on Yonge Street shall be completed and equipped within twelve months from the date of the Act authorizing the same, and the tracks on King and Queen Streets shall be constructed and fully equipped within two years from the same time: Twenty-third, If within four months after the passing of the Act, the proprietor should fail to proceed with the works in such manner as to satisfy the City Surveyor or other proper officer appointed by the Corporation, that they will be completed within the stipulated time, the Corporation may give fourteen days' notice of its intention to annul the privileges hereby granted, and if the

works are not then proceeded with in a satisfactory manner; the Corporation may by resolution annul the said privileges accordingly: Twenty-fourth, In the event of any other parties proposing to to construct railways on any of the streets not occupied by the party to whom the privilege is now to be granted, the nature of the proposals thus made shall be communicated to him, and the option of constructing such proposed railway on similar conditions as are herein stipulated, shall be offered, but if such preference is not accepted within one month, then the Corporation may grant the privilege to any other parties.' Now these presents witness, that the said parties of the first part, in consideration of the amounts to be paid to them by the said party of the second part, his executors, administrators, and assigns, by and under the said resolutions, and these presents, and of the covenants and agreements therein on his part and behalf to be kept and performed, do hereby give and grant unto the said party of the second part, his executors, administrators and assigns, the exclusive right and privilege to construct, maintain and operate street railways by single or double tracks with all necessary turn-outs, side-tracks and switches, in, along and upon King Street, Queen Street, and Yonge Street in the said City, together with the right to the use of the tracks of the said railways as against all other vehicles whatsoever, for the said term of thirty years upon the conditions, and subject to all the payments, regulations, provisoes and stipulations in the said above recited resolutions and these presents expressed and contained, and the said parties of the first part, covenant with the said party of the second part, his executors, administrators and assigns: First, That when and so often as it may be necessary for them, the said parties of the first part, to open any of the streets as stipulated in the sixth resolution above recited, a reasonable notice shall be given to the said party of the second part, of their intention so to do, and the work thereon shall not be unnecessarily delayed, but shall be carried on and completed with all reasonable speed, due regard being had to the proper and efficient execution thereof: Second, That there shall be no unnecessary delay

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on the part of the said parties of the first part and their officer and officers, in the granting of any certificate required by any of the said resolutions, but the said parties of the first part, and their officer and officers, shall and will in all things so far as is consistent with their duty, aid and assist the said party of the second part in carrying out this agreement : Third, That the time limited in the twenty-third resolution shall apply to the construction of the railway on Yonge Street, and that the restrictions therein contained, so far as the same applies to the railways on King and Queen Streets, shall be extended to the first day of June in the year of our Lord one thousand eight hundred and sixty-two : Fourth, That the said party of the second part, his executors, administrators and assigns, paying the license fees as provided in the ninth resolution, and performing and fulfilling all the conditions, stipulations, restrictions and covenants in the said resolutions and in these presents contained, shall and may, peaceably and quietly have hold and enjoy the rights and privileges hereby granted, without any let or hindrance or trouble of or by the said parties of the first part, or any person or persons on their behalf : And lastly, That as soon as the necessary power required to sanction this agreement be granted by the Legislature of the Province and the parties of the first part are legally authorized so to do, they will without delay pass a By-law framed in accordance with the said resolutions. And the said party of the second part doth hereby for himself, his heirs, executors and administrators covenant promise and agree to and with the said parties of the first part, their successors and assigns in manner following, that is to say : First, That he will construct, maintain and operate the said railways within the times in the manner and upon the conditions in the said resolutions, and these presents set forth : Second, That he will well and truly pay the said license fees and will truly and faithfully perform, fulfil and keep all the conditions, covenants and agreements in the said resolutions and these presents expressed and contained on his or their part to be performed fulfilled and kept : Third, That before breaking up, opening or interfering with any of the said streets, for the purpose of constructing the said railways he will give or cause to be given to the City Surveyor or other proper

officer of the said parties of the first part, at least ten days notice of his intention so to do, and that no more than twenty-six hundred feet of the said streets shall be broken up or opened at any one time, and that when the work thereon shall have been commenced the same shall be proceeded with steadily and without intermission and as rapidly as the same can be carried on, due regard being had to the proper and efficient construction of the same: Fourth, That during the construction of the said railways, due and proper care shall be taken to leave sufficient space and crossings so that the traffic and travel on the said streets and other streets running at right angles thereto shall not be unnecessarily impeded, and that the watercourses of the said streets shall be left free and unobstructed, and lights, barriers or watchmen, provided and kept by the said party of the second part, when and where required to prevent accidents to the public: Fifth, That the gauge of the said railways shall be such that the ordinary vehicles now in use may travel on the said tracks, and that it shall and may be lawful to and for all and every person and persons whatsoever to travel upon and use the said tracks with their vehicles, loaded or empty, when and so often as they may please, provided they do not impede or interfere with the cars of the party of the second part, running thereon, and subject at all times to the right of the said party of the second part, his executors, administrators and assigns to keep the said tracks with his and their cars, when meeting or overtaking any other vehicle thereon: Sixth, That the said party of the second part, his heirs, executors or administrators shall and will at all times employ careful, sober and civil agents, conductors and drivers, to take charge of the cars upon the said railways, and that he the said party of the second part, his heirs, executors and administrators, and his and their agents, conductors, drivers and servants, shall and will from time to time, and at all times during the continuance of this grant, and the exercise by him or them of the rights and privileges hereby conferred, operate the said railways, and cause the same to be worked under such regulations as the Common Council of the City of Toronto may deem necessary and requisite for the protection of the

No. 353.
Street Railways.

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Street Railways.

persons and property of the public, and provided such regulations shall not infringe upon the privilege granted by the said resolutions: Seventh, That no higher fare than five cents shall be charged or exacted from or upon any passenger using the car or cars of the said party of the second part, from the St. Lawrence Hall, in King Street, either to Yorkville or the Asylum, but he or she shall be entitled to travel in the said car or cars either of the said distances for one fare only: And lastly, That all the works to be done under the said resolutions, and these presents, and the rights and privileges to be used thereunder shall be done and used to the satisfaction of the Common Council of the City of Toronto, or the City Surveyor or other officer to be by them appointed for the purpose: Provided, however, that if the said party of the second part be delayed by the order and injunction of any Court, except the same be granted on the default or negligence of the said party of the second part, then the time of such delay shall be excluded from the operation of this agreement and such time in addition to the periods prescribed in the said resolutions shall be allowed for the completion of the said railway, and also that it is the intent and meaning of the nineteenth resolution above recited, that the forfeiture therein mentioned shall attach in case the said party of the second part fails to build and operate any one of the three lines of railway; it being the clear understanding of the said party of the second part, that the privileges hereby conferred were to insure the completion and working of three lines of railway, and in case of failure in any one the absolute forfeiture of what has been constructed and of the plant belonging thereto shall take place under the said resolution and agreement; and provided further that this agreement and the matters and things herein contained shall only take effect after the legislation necessary for legalizing the same, shall have been obtained:”

And whereas since the execution of the said agreement by a certain Act of the Parliament of this Province, passed in the twenty-fourth year of Her Majesty's reign, entitled “An Act to Incorporate the Toronto Street Railway Company,” it was among other things enacted that the said

agreement should be held to be a valid agreement, and that the Corporation of the City of Toronto, had full power and authority to enter into and make such agreement upon the conditions, and for the purposes therein mentioned, and the said Corporation were thereby authorized to pass any By-law or By-laws for the purpose of carrying the same into effect :

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Street Railways.

Now the Corporation of the City of Toronto, by the Council thereof, enacts :

1. That the said agreement hereinbefore recited shall be and the same is hereby ratified and confirmed, and the said Alexander Easton is hereby authorized to lay down street railways on King Street, Queen Street, and Yonge Street, and work the same under the conditions, provisos and restrictions in the said resolutions and agreement contained, and such other regulations as are herein set forth, or may from time to time be deemed necessary by the said Council for the protection of the citizens of the said City of Toronto.

Confirmation of recited agreement, and authority to Alex. Easton to lay down street railways on King, Queen and Yonge Streets under certain conditions.

2. That as soon as the said railways or any of them are constructed and certified to in the manner and according to the terms of the said agreement, the said Alexander Easton may commence to run cars or carriages and convey passengers thereon, and collect the fare for the same, as settled by the said resolutions and agreement, and fully operate the said roads.

When railways are completed Alex. Easton may run cars, &c.

3. That before the certificate, hereinbefore referred to shall be granted, the said Alexander Easton shall submit to the Council of the Corporation of the City of Toronto for their approval the rules and regulations for the government and guidance of the conductors and drivers upon the said railways and others connected with the working thereof, which said rules and regulations when approved by the said Council shall be posted in some conspicuous place in each car or carriage, and no car or carriage shall be run upon any of the said railways, without a copy of such rules and regulations being so placed therein.

Rules and regulations for the government of servants of the railways to be submitted to the Council.

Rules and regulations to be posted in the cars

No. 353.
Street Railways.

Vehicles to turn
out of the track
for the railway
cars.

4. That the cars and carriages of the said Alexander Easton while running on the said railways or any of them, shall have the right to use the said railways as against all other vehicles whatsoever, and all other such vehicles using the said railways whether meeting or proceeding in the same direction as the said cars or carriages, shall turn out of the said track of the said railways, and permit the said cars and carriages to pass, and shall in no case and under no pretence whatever obstruct or hinder the passage thereof, and the free use of the said railways, by the said cars and carriages of the said Alexander Easton.

The Corporation
or their grantees
may cross the
railways of Alex.
Easton by other
railways on cer-
tain conditions.

5. That the rights conferred upon the said Alexander Easton by this By-law, and the agreement hereby confirmed, shall in no case be taken to prevent the Corporation of the City of Toronto or their grantees from crossing the railways of the said Alexander Easton by other railways traversing other Streets; the provisions of the twenty-fourth resolution, being first complied with, but such right to cross the same is hereby expressly reserved.

Penalty.

15. That any person or persons guilty of an infraction of any of the provisions of this By-law shall, upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars for each offence, together with the costs of prosecution; and in default of payment thereof forthwith, it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate and Justice or Justices, or any two or more of them, are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be law-

Distress in de-
fault of pay-
ment.

Commitment in
default of dis-
tress.

ful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour, for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

No. 371.
Gambling and
Gambling Houses

No. 371.

By-law respecting Gambling and Gambling Houses.

PASSED 22ND SEPTEMBER, 1862.

WHEREAS it is expedient to provide for the suppression of gambling houses in the City of Toronto:

Therefore the Corporation of the City of Toronto, by the Council thereof, enacts as follows:

1. It shall not be lawful for any person or persons to keep, or permit to be kept or used in any house, room or place within the City of Toronto, for the purpose of gambling any Faro Bank, Rouge et Noir, Roulette Table or other device for gambling, or to permit or allow any games of chance or hazard with dice, cards or other device to be played for money, liquor or other thing within such house, room or place, and all and every description of gambling, and all playing at cards, dice or other games of chance, with betting in any such house, room or place, or in any hotel, restaurant, inn, saloon, grocery or shop within the said City, is hereby prohibited.

Gambling, cards, dice or other games of chance with betting prohibited in any house, room, &c., within the City.

2. No person shall expose in any of the streets, lanes, avenues, or public places of the City, any table or device of any kind whatever, upon, or with, or by which any game of chance or hazard can be played. And no person or persons shall play at or upon any such table or device, or otherwise, in any of the streets, lanes, avenues or public places of the City, any such game with cards, dice, or any device whatsoever.

Table or device for gambling not to be exposed in the streets or public places.

Persons not to play at such table or device.

No. 371.
Gambling and
Gambling Houses

Police may enter
houses where
gambling is car-
ried on and ar-
rest persons
gambling.

Police may arrest
persons gambling
in the streets,
and seize and
destroy tables
and devices for
gambling.

3. The Mayor, Police Magistrate, or any Alderman of the City, the Chief of Police, or any policeman may enter into any house, room or place in which any Faro Bank, Rouge et Noir, Roulette Table or other device may be kept and used for gambling, or in which gambling of any description may be carried on; and may arrest all and every person or persons gambling, playing at cards or dice, or any games of chance therein, and also all persons gambling or playing at games of chance or hazard, in any of the streets or other public places of the City, and seize, take and destroy all tables or devices for gambling that may be found in any such house, room or place as aforesaid, or in any of the streets or other public places of the City.

4. Repealed by By-law No. 484, section 2.

Police not to be
hindered or re-
sisted in the exe-
cution of their
duties.

5. That no person or persons shall in any way hinder or resist any officer or officers of the City before named in the execution of his or their duties under the provisions of this By-law.

Penalty.

6. That any person or persons guilty of an infraction of any of the provisions of this By-law, shall upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars for each offence, together with the costs of prosecution; and in default of payment thereof forthwith, it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate and Justice or Justices, or any two or more of them, are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders

Distress in de-
fault of payment.

Commitment in
default of dis-
tress.

to the common jail of the said City of Toronto, with or without hard labour, for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

No. 375.
Weight and Sale
of Bread.

No. 375.

By-law to repeal By-law number one hundred and seventy, and to provide for the Weight and Sale of Bread in the City of Toronto hereafter.

PASSED 10TH NOVEMBER, 1862.

WHEREAS it is expedient to repeal By-law number one hundred and seventy, passed the nineteenth day of May, one thousand eight hundred and fifty-one entitled "By-law number one hundred and seventy, to make provision for the weight and sale of bread in the City of Toronto and liberties":

Be it therefore enacted by the Council of the Corporation of the City of Toronto:

1. That By-law number one hundred and seventy, passed the nineteenth day of May, one thousand eight hundred and fifty-one, entitled "By-law number one hundred and seventy, to make provision for the weight and sale of bread in the City of Toronto and liberties," be, and the same is hereby repealed.

Repeal of By-law No. 170.

2. That all bread sold or offered for sale in the City of Toronto, of whatever shape, form or fashion, shall be in loaves of two pounds and four pounds respectively, and all bread offered for sale of any less weight shall be seized and forfeited for the use of the poor: Provided always that nothing in this Act contained shall be construed or extended to prevent bakers or other persons from selling biscuits, buns, rolls, crackers, muffins, or any other fancy cakes commonly made in the trade.

All bread to be sold in the City to be in loaves of two and four pounds weight.

But biscuits, &c. may be sold.

No. 375.
Weight and Sale
of Bread.

Authority for
certain persons to
enter shops and
inspect and weigh
the bread.

Bread not of
proper weight
to be seized and
given to the poor.

3. That it shall and may be lawful for the Inspector of Weights and Measures, the Chief Constable or other Constable of the said City, from time to time, under the direction of the Mayor, Police Magistrate, or any Alderman, with proper scales and weights to be provided for that purpose by the Corporation, and kept in the possession of the Chief Constable, proved and adjusted, ready for use at any time, to enter the shop or premises of any person or persons, or other place in which bread for sale shall be exposed or kept, and there to inspect and weigh the said bread or any part thereof, and to seize and take away any such bread which shall not be of proper weight according to this By-law, and to dispose of the same for the use of the poor, as may be directed by the Mayor, Police Magistrate, or any one of the Aldermen of the said City.

Vendors of bread
to keep scales,
and when re-
quired by any
purchaser, to
weigh the bread.

4. That every vendor of bread shall keep scales and weights suitable for the weighing of bread in a conspicuous place in his or her shop, and every vendor of bread shall, whenever required by any purchaser or purchasers thereof, weigh the bread offered by him or her for sale.

5. Repealed by By-law No. 484, section 2.

6. Repealed by By-law No. 484, section 2.

7. Repealed by By-law No. 484, section 2.

Penalty.

8. That any person or persons guilty of an infraction of any of the provisions of this By-law, shall upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay a penalty amounting to the sum of five dollars for the first offence; ten dollars for the second offence, and not less than twenty dollars or more than fifty dollars for each subsequent offence, together with the costs of prosecution; and in default of payment thereof forthwith, it shall and may be lawful for the Mayor, Police Magistrate or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate, and Justice or Justices, or

D. stress in de-
fault of payment.

any two or more of them, are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy to the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour, for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

No 407.
Bull-baiting,
Dog-fighting, &c.

No. 407.

By-law to provide against Bull-baiting, Dog-fighting, &c.

PASSED 30TH MAY, 1864.

WHEREAS it is expedient and necessary to prevent the running, baiting or fighting of any bull, bear, dog or other animal within the City of Toronto:

Therefore the Council of the Corporation of the City of Toronto enacts as follows:

That if any person shall keep or use any house, pit, ground or other place for the purpose of running, baiting or fighting any bull, bear, dog or other animal (whether of domestic or wild nature or kind), or for cock-fighting, or in which any bull, bear, dog or other such animal shall be baited, run or fought, every such person shall be liable to a penalty not exceeding the sum of fifty dollars for every day on which he shall so keep and use such house, room, pit, ground or place for any of the purposes aforesaid, and in default of payment thereof the same shall be levied by distress and sale of the goods and chattels of such person, and in case no distress can be found out of which such penalty can be levied, such person shall be imprisoned in the common jail or house of correction for a period not exceeding six calendar months: Provided always that the person who

Keepers of places
for bull-baiting,
&c., to be subject
to a penalty of
\$50.00.

Distress in de-
fault of payment.

Commitment in
default of distress

No. 442.
Reduction of
Taxes.

Persons assisting
at such baiting or
fighting.

shall act as the manager of any such house, room, pit, ground or place, or who shall receive any money for the admission of any person thereto, or who shall assist in any such baiting or fighting or bull running, shall be deemed and taken to be the keeper of the same for the purposes of this By-law, and be liable to the same penalty and the like consequences in case of non-payment as is by this By-law imposed upon the person who shall actually keep any such house, room, pit, ground or other place for the purpose aforesaid.

No. 442.

By-law to repeal By-law number four hundred and thirty-seven, and to fix the amount to be allowed in the reduction of Taxes on Vacant Tenements, &c.

PASSED 1ST APRIL, 1867.

WHEREAS it is expedient to repeal By-law number four hundred and thirty-seven of the Council of the Corporation of the City of Toronto, to fix the amount to be allowed in reduction of taxes on vacant tenements, &c., passed on the twenty-fifth day of November, one thousand eight hundred and sixty-six:

Therefore the Council of the Corporation of the City of Toronto enacts as follows:

Repeal of By-law
No. 437.

1. That from and after the passing of this By-law, By-law number four hundred and thirty-seven of the Council of the Corporation of the said City shall be and the same is hereby repealed.

Ratepayers over-
charged more
than twenty-five
per cent. on their
assessments may
have the amount
reduced.

2. That from and after the passing of this By-law any ratepayer or property owner residing in the City, and the agent of those who do not reside in the City, who shall shew to the satisfaction of the Court of Revision that he or she has been overcharged in his or her assessments more than twenty-five per centum on the sum he or she ought

to have been charged, may at any Court of Revision held, or at any adjourned meeting thereof, have the assessment reduced to the proper amount.

No. 446.
Relating to Dogs.

3. That any such party who shall shew to the satisfaction of the Court of Revision, at any meeting held by it, that any tenement assessed has been vacant during the year for more than three months, the assessment may be reduced as follows ; three months' vacancy and not exceeding four months, three months' allowance ; four months' vacancy and not exceeding six months, four months' allowance ; six months' vacancy and not exceeding eight months, five months' allowance ; eight months' vacancy and not exceeding ten months, six months' allowance ; ten months' vacancy to twelve months, seven months' allowance.

Assessment on
vacant tene-
ments may be
reduced.

4. That no other allowance or remission of taxes shall be made, except such as shall have been reduced by the Court of Revision.

No other remis-
sion of taxes to
be allowed.

5. That the said Court of Revision may at any of its meetings receive and decide upon any petition for a revision of taxes, from any party who may from sickness or extreme poverty declare himself, or herself, unable to pay the taxes : Provided always that such petitions for reductions shall not be received or decided upon by the said Court of Revision, unless notice thereof shall be given to the Clerk of the Municipal Council of the said City, at least one week previous to the sitting of such Court of Revision.

Court of Revision
may revise taxes
of parties who
from sickness or
poverty are
unable to pay.

Notice of peti-
tion to be
given.

No. 446.

By-law to repeal By-laws numbers two hundred and twenty-nine and three hundred and fifty, and all other By-laws heretofore passed relating to Dogs and to make better provision for the same hereafter.

PASSED 27TH MAY, 1867.

WHEREAS it is expedient to repeal all By-laws now in force relating to the imposition of a tax upon dogs,

No. 446.
Relating to Dogs.

and to provide for their destruction, in certain cases, and to make better provision for regulating the keeping of dogs, and the preservation of the public from injury from dogs hereafter:

Therefore the Council of the Corporation of the City of Toronto enacts as follows:

Repeal of By-laws Nos. 229 and 350.

1. That from and after the passing of this By-law, By-laws numbers two hundred and twenty-nine and three hundred and fifty and all other By-laws, now in force for collecting the tax imposed on dogs, and to provide for their destruction in certain cases, be and the same are hereby repealed.

Dogs to be taxed \$1 and bitches \$2.

2. That there shall be annually levied and collected within the City upon every dog one dollar, and upon every bitch two dollars.

Persons having dogs about their premises to be considered the owners of such dogs.

3. That any person in possession of any dog or bitch, or who shall suffer any dog or bitch to remain about his house or premises, shall be deemed the owner of such dog or bitch for all the purposes of this By-law.

Dogs not to run at large without collars.

4. That no dog or bitch shall be permitted at any period of the year, to run at large in the City, without a collar about the neck, with the name of the owner thereon, and between the first day of June and the first day of October, unless muzzled in addition, and that every dog or bitch found at large without collar or muzzle as aforesaid, shall be impounded, and if not redeemed within twenty-four hours, by payment of the sum of two dollars shall be destroyed or sold for the benefit of the City.

To be muzzled.

If found without collar or muzzle, to be impounded and destroyed.

Vicious dogs may be destroyed, or the owner fined.

5. That if any dog or bitch running at large contrary to this By-law, shall attack any person travelling on the street or highway in the City, or do any damage whatsoever, and complaint thereof shall be made to the Police Magistrate, such Police Magistrate shall enquire into the complaint, and if satisfied that such complaint is substantiated, shall either fine the owner, or order such owner to deliver such dog or

bitch over to the Police at the nearest Police Station of the said City, in order that it may be destroyed or the owner fined, in the discretion of the said Police Magistrate; and the owner or possessor of any such dog or bitch who shall refuse or neglect on the authority of the said Police Magistrate to deliver such dog or bitch over to the Police shall be liable to the penalty hereinafter mentioned.

No. 446.
Relating to Dogs.

Refusal to deliver such dogs to the police.

6. That the Chief Constable shall keep up notices in at least sixty of the public places of this City, warning persons of the provisions of this By-law.

Notice to be given of this By-law.

7. That any dog or bitch known to be rabid shall be immediately destroyed.

Rabid dogs to be destroyed.

8. Repealed by By-law No. 484, section 2.

9. That any person or persons guilty of an infraction of any of the provisions of this By-law, shall upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace, for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars for each offence, together with the costs of prosecution; and in default of payment thereof forthwith, it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate and Justice or Justices, or any two or more of them, are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress, and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

Penalty.

Distress in default of payment

Commitment default of distress.

No. 453.
Residents east of
River Don.

No. 453.

By-law to provide for the relief of such of the Citizens of Toronto, as are now or hereafter may become Residents of that part of the City which lies East of the River Don, and South of the Kingston Road.

PASSED 18TH NOVEMBER, 1867.

WHEREAS so much of the Kingston road as lies between the City of Toronto, and the County of York, is subject to the joint jurisdiction of the respective Corporations of the said City and County :

And whereas it is expedient to relieve such of the citizens as are now resident, or hereafter may become residents of that part of the City which lies east of the river Don and south of the portion aforesaid of the Kingston road, from all obligations to pay tolls for, or in respect of the use of the said portion of road:

Therefore the Council of the Corporation of the City of Toronto enacts as follows :

Citizens resident
east of the river
Don and south
of the Kingston
road to be ex-
empt from tolls.

1. That all citizens of Toronto now resident, or hereafter to become resident within that portion of the City which lies east of the river Don, and south of the portion aforesaid of the Kingston road, shall from and after the time this By-law takes effect, be exempt from payment of tolls for or in respect of the use of the Don bridge and so much of the Kingston road as lies to the east of the river Don, between the limits of the City of Toronto and the County of York.

When this By-law
is to take effect.

2. That this By-law shall not take effect until a By-law has been passed in similar terms, as nearly as may be, by the Council of the Corporation of the County of York.

3. That if the Council of the Corporation of the County of York omit for six months after notice of this By-law, to pass a By-law in similar terms, the duties and liabilities of each municipality in respect of said portion of road be referred to arbitration under the provisions of the Municipal Institutions Act in that behalf made and provided.

No. 460.
Ferry-Boats.

If the Corporation of the County of York omit to pass a similar By-law, the matter to be referred to arbitration.

No. 460.*

By-law for regulating the Ferry between the City of Toronto and the Island.

PASSED 27TH JULY, 1868.

WHEREAS it is necessary and expedient to adopt rules and regulations by which the Ferry between the City and the Island shall be conducted :

Therefore the Municipal Council of the Corporation of the City of Toronto, enacts as follows :

1. That all steam or other ferry-boats employed on such ferry, shall be safe and sea-worthy, well fitted out and managed by a sober and experienced captain and crew.

The ferry boats to be safe and seaworthy.

2. That the captain or engineer of every such steam or other ferry-boat must hold a certificate of qualification from the Government Inspector of steamboats.

The captain or engineer to hold a Government certificate.

3. That the steam or other ferry-boats to be used on such ferry, shall be capable of carrying with comfort and safety, at least one hundred passengers on one trip.

To have capacity to carry one hundred passengers.

4. That the said steam or other ferry-boats shall be licensed for one year, from the first day of January to the thirty-first day of December in each year.

Licenses to be for one year from the 1st of January.

5. That the said steam or other ferry-boat or boats shall make (weather permitting) at least six trips daily, to and from the City to the Island and return, (Sundays excepted).

To make six trips daily.

* Assented to by the Governor in Council on the 26th October, 1868.

No. 460.
Ferry-Boats.

Notice to be given of the place and hour of starting.

6. That public notice shall be given by the owner of such steam or other ferry-boats, of the place and hour of starting from all landing-places, and no change made therefrom, without posting up or advertising notice of such change, at least twenty-four hours before such change be made.

Owners of boats to have good wharfage.

7. That it shall be incumbent on the owner or owners of said steam or other ferry-boat or boats, to have good wharfage at all landing-places, for the safe receiving and discharging of passengers.

Intoxicated persons not to come on the boats.

8. That the owner or captain of such steam or other ferry-boats shall not permit any person in a state of intoxication to come or remain on board such boats.

Scale of charges.

9. That the scale of charges to be made on said steam or other ferry-boats, shall be as follows :—Every passenger to the Island, five cents; every passenger to the Island and return, round trip, ten cents; children under twelve years of age, half-price.

Scale of charges to be posted up in the boats.

10. That the owner or captain of such steam or other ferry-boats, shall keep a copy of the scale of charges posted up in a conspicuous part of the boat.

Owners of ferry boats may commute for carrying passengers.

11. That the owner of such steam or other ferry-boats may, if he thinks proper, commute for the carrying of passengers by the season, or otherwise.

Constables on duty to pass free.

12. That constables on duty shall be entitled to and receive a free pass on such steam or other ferry-boats, to and from the Island.

An annual fee of \$100 to be paid by the owners for each ferry-boat.

13. That the annual fee to be paid by the owner or owners of each steam or other ferry-boat, shall be one hundred dollars, payable to the General Inspector of licenses of the City of Toronto; and that the General Inspector of Licenses shall be authorized to go on board any of the said steam or other ferry-boats, from time to time, as he shall deem it expedient, to ascertain that the provisions of this By-law are complied with.

The general Inspector of Licenses may go on board any ferry-boat to inspect.

14. That one or more good seaworthy life-boats shall be at all times kept on board each steam or other ferry-boat, ready to be launched in case of accident, and also such number of proper life-preservers as shall be deemed sufficient by the General Inspector of Licenses.

No. 465.
Interment of the
Dead.

Life-boats and
life-preservers to
be kept on board.

15. Repealed by By-law No. 484, Section 2.

16. That any person or persons guilty of an infraction of any of the provisions of this By-law, shall, upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars for each offence, together with the costs of prosecution; and in default of payment thereof forthwith it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate and Justice or Justices, or any two or more of them, are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour, for any period not exceeding six calendar months unless the said penalty and costs be sooner paid.

Distress in de-
fault of payment

Commitment in
default of dis-
tress.

No. 465.

By-law to prevent the Interment of the Dead within the limits of the City of Toronto, except as herein authorized, and to regulate the same where authorized.

PASSED 28TH SEPTEMBER, 1868.

WHEREAS it is necessary as far as possible to prevent the interment of the dead within the limits of the

No. 465.
Interment of the
Dead.

City of Toronto, and to make regulations for interments where authorized within the limits of the said City :

Therefore the Council of the Corporation of the City of Toronto enacts as follows :

Interments to be
made only in cer-
tain places.

1. That it shall not be lawful for any body corporate, company, partnership or person, to inter any dead body in any land situate within the limits of the City of Toronto, other than that now used and appropriated for the purpose of a burial ground in said City, provided that the Board of Health or Mayor may in their discretion allow interments in private grounds on the application of the persons interested.

Graves to be at
least over four
feet in depth.

2. That no person shall inter, or cause to be interred, any dead body in a grave which shall be less than four feet deep from the surface of the ground surrounding the grave to the top of the coffin.

Wrongful remov-
al of bodies.

3. That no person shall wrongfully remove or disturb, or attempt to remove or disturb any body, or the remains of any body, or any part of any body from any grave or tomb in the City.

Companies or
persons author-
ized to inter the
dead to keep a
record of inter-
ments.

4. That each corporation, company, partnership, or person, authorized to inter the dead in the said City, or any part thereof, shall, if the information can be obtained, record, or cause to be recorded, in a book to be kept for that purpose, the names, age, and sex of each person interred, the names of father and mother, their residence, the cause of death, and whether resident or strangers at time of death, together with the date of interment; and shall, during the month of December in each year, report to the City Clerk, for the information of the City Council, a summary of the particulars aforesaid, as recorded.

And report to
the City Clerk.

5. Repealed by By-law No. 484, section 2.

Injuring or de-
facing graves,
tombs, plants, &c.
in cemeteries
or burial grounds

6. That any person who shall wilfully destroy, mutilate, deface, injure or remove any tomb, monument, grave-stone, or other structure placed in any cemetery or burial ground within the said City of Toronto, or any fence, railing or other work for the protection or ornament of any such

cemetery or burial ground, or of any tomb, monument, grave-stone or other structure as aforesaid, or of any cemetery lot within any such cemetery or burial ground, or shall wilfully destroy, cut, break or injure any tree, shrub or plant within the limits of any such cemetery or burial ground, or play at any game or sport or discharge fire-arms (save at a military funeral) in any such cemetery or burial ground, or who shall wilfully and unlawfully disturb any persons assembled for the purpose of burying any body therein, or who shall commit any nuisance or shall at any time behave in an indecent and unseemly manner in any such cemetery or burial ground, or shall in any way violate, desecrate or disfigure any such cemetery or burial ground, or any grave, tomb, tombstone, vault or other structure within the same shall be subject to the penalties of this By-law.

No. 465.
Interment of the
Dead.

Disorderly con-
duct in ceme-
teries or burial
grounds.

7.* That any corporation, company, partnership, person or persons guilty of an infraction of any of the provisions of this By-law, shall upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, without prejudice to any other punishment or remedy by law, a penalty not exceeding the sum of fifty dollars for each offence, together with the costs of prosecution; and in default of payment thereof forthwith, it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate and Justice or Justices, or any two or more of them, are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour, for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

Penalty.

Distress in de-
fault of pay-ment.

Commitment
default of distress

No. 467.
Streets, Sidewalks
and Nuisances.

No. 467.

A By-law for the regulation of the Streets, Sidewalks and Thoroughfares of the City of Toronto, and for the preservation of Order, and suppression of Nuisances therein.

PASSED 26TH OCTOBER, 1868.

WHEREAS it has been found necessary from time to time to make provision for the care and protection of the streets, sidewalks, and other thoroughfares of the City of Toronto, and to enact rules and regulations to facilitate travel, for the maintenance of order, and for the suppression of nuisances therein :

And whereas it is expedient to consolidate all the Acts and By-laws of the City of Toronto, heretofore existing, that in any way relate to the subjects aforesaid, and to incorporate them into one By-law :

Therefore the Municipal Council of the Corporation of the City of Toronto, enacts as follows :

REPEALING CLAUSE.

Repeal of former
By-laws.

1. That from and after the passing of this By-law the following By-laws and sections of By-laws of the City of Toronto shall be and the same are hereby repealed, that is to say, By-laws Numbers fifty-six, seventy-two, ninety-two, two hundred, two hundred and forty-eight, two hundred and fifty-one, two hundred and seventy, three hundred and forty, three hundred and sixty-four, three hundred and ninety-three, four hundred and thirty-four, sections three and four of By-law number three hundred and twenty-six, and sections one, two, eleven, twelve, and thirteen, of By-law number three hundred and twenty-seven.

FOOT PASSENGERS.

Persons meeting
or passing each
other to pass on
the right.

2. That any person or persons in meeting and passing another or others shall pass on the right, and any person or persons overtaking another or others and passing, must

pass on the right, and any person or persons wilfully offending against this provision whereby any disturbance or confusion is occasioned shall be liable to the penalty hereinafter provided.

No. 467.
Streets, Sidewalks
and Nuisances.

3. That three or more persons shall not stand in a group or near to each other on any street or sidewalk in such a manner as to obstruct a free passage for foot passengers, after a request to move on made by any Police Officer, City Inspector, Constable, or any person duly authorized by the Mayor or any Alderman.

Three or more
persons not to
stand in a group.

4. That nothing in the preceding section contained shall be construed as prohibiting the congregation of individuals to attend and listen to street preaching, so long as the proceedings thereat shall continue peaceable and orderly, and sufficient space be left both on the sidewalks and the central roadway to allow of the ordinary traffic of the street and sidewalks upon which such street preaching takes place; Provided always that should the sidewalks or roadway during such street preaching be or become at any time so obstructed as to impede the ordinary traffic thereon, the parties so obstructing the same shall, upon request as aforesaid, forthwith remove from such position, and in the event of their refusing so to do shall be liable to the penalties of this By-law.

Street preaching
permitted if it
does not obstruct
the streets or
sidewalks.

If the sidewalks
or roadway be-
comes obstructed
thereby parties
to remove.

5. That no person shall run or race on the streets or sidewalks, or crowd or jostle other foot passengers so as to create discomfort, disturbance, or confusion.

Running on the
streets or side-
walks and incon-
veniencing foot
passengers.

HORSES AND VEHICLES.

6. That no person shall drive any carriage, cart, waggon, sled, sleigh, or other vehicle, or sit upon any horse or other beast harnessed thereto in order to ride or drive the same, nor shall any person ride or lead any horse, mare or gelding unless he shall have strong reins or lines fastened to the bridles of the beasts, and held in his hands, sufficient to guide them and to restrain them from running, galloping, or going immoderately through any of the streets of the said City.

Persons driving
or riding to have
strong reins.

No. 467.
Streets, Sidewalks
and Nuisances.

Immoderate
riding or driving.

Horses running
at large or stand-
ing without being
secured.

7. That no person driving any carriage, cart, waggon, sled, sleigh, or other vehicle, or riding upon any horse, mare or gelding, shall cause, permit or suffer the beast or beasts he shall ride or drive, to go on a gallop or other immoderate rate; and no person shall suffer or permit any horse, mare or gelding, to run at large or to stand in any street of the said City without being sufficiently secured to prevent its running away.

Horses running
at large, or going
at an immoderate
rate may be
stopped.

8. That it shall and may be lawful for any person or persons to stop any horse, mare or gelding found running at large or going at a gallop or other immoderate rate, until the owner or owners can be found and proceeded with according to law.

Training horses.

Stud horses.

9. That no person shall break in or train any horse, mare or gelding, or shall exhibit, or let to mares any stud horse in any public place, or in any of the streets or parks of the said City.

Riding or driving
on the sidewalks.

10. That no person shall ride, drive, lead or back any horse, carriage, cart, waggon, sled, sleigh or other vehicle, over or along any paved or planked sidewalk in the said City, unless it be in crossing such paved or planked sidewalk to go into any yard or lot.

Owners or occu-
piers of property
requiring to
drive across a
sidewalk to enter
their premises, to
construct a
bridge over the
drains.

11. That every owner or occupier of any house, building, or lot, who shall require to drive any horse, carriage, cart, waggon, sled, sleigh or other vehicle across any paved or planked sidewalk, for the purpose of going in at any gate, or to any lot, or to the rear of any premises, shall construct across the drain, gutter or water-course opposite the gateway or premises a good and sufficient bridge of planks, so constructed as not to obstruct the said drain, gutter or water-course, and shall also place a piece of timber along so much of the edge of the said pavement or planking on the side next the gateway or premises as is necessary for any vehicle to pass over without injuring the said pavement or planking.

12. That no person shall permit his horse, carriage, cart, waggon, sled, sleigh or other vehicle, to stand upon any street in the said City longer than is absolutely necessary for the owner, driver or person using the same to transact his business with the person opposite whose house the same shall stand; and no person shall tie his horse, to any post, hook or ring, or in any way across any pavement, sidewalk or crossing, so as to obstruct the ordinary traffic of the street, or leave any carriage, cart, waggon, sled, sleigh or other vehicle, standing opposite any other person's door than such as the owner, rider, driver or occupant, may have business with; and no person shall in anywise obstruct the free use of the streets or sidewalks of the said City, or the crossings across the public streets, or any of the approaches to the wharves, by stopping any horse, cart carriage, waggon, sled, sleigh or other vehicle, across the same or by any other means.

No. 467.
Streets, Sidewalks
and Nuisances.

Horses and car-
riages standing
in the street.

13. That no person shall place any carriage, cart, waggon, sled, sleigh or other vehicle, without horses upon any street of the said City.

Vehicles without
horses not to be
placed on the
streets.

HAND CARTS.

14. That no person shall run, draw, or push any carriage, waggon, wheelbarrow, cart, hand cart, hose, hose cart, truck or any hand waggon, sled, sleigh or other vehicles used for the conveyance of any person, article or property upon any of the sidewalks of the said City.

Hand carts, &c.,
not to be run on
the sidewalks.

DIRT OR SNOW.

15. That every occupant, and in case there is no occupant, the owner of every house, shop, building, lot or parcel of land, and every person having charge or care of any church, chapel or other public building, fronting or abutting on any public street or streets where the sidewalks are planked or paved, shall water and cleanly sweep and keep free from obstruction by dirt, dust, snow, ice, or other incumbrances, the pavement or sidewalk in front and about his premises as aforesaid, before eight o'clock in the morn-

Sidewalks to be
watered and
swept.

No. 467.
Streets, Sidewalks
and Nuisances.

Drains, gutters
and watercourses
to be kept clean.

ing of each day, from the first day of May till the first day of October, and shall sweep the same before nine o'clock every morning during the rest of the year (Sundays excepted), and every occupant as aforesaid at the times aforesaid, shall cleanly sweep and keep free from obstruction by dirt, dust, snow, ice or other incumbrances, the drains, gutters or water-courses, in front of or about such houses or premises as aforesaid, and shall at all times keep the sidewalks, pavements, drains, gutters and water-courses clean and free from obstruction or incumbrance.

Removal of snow
from the side-
walks.

16. That every occupant, and in case there is no occupant, the owner of every house, shop, building, lot or parcel of land, and every person having charge or care of any church, chapel, or other public building, fronting or abutting on any public street or streets where the sidewalks are planked, or paved, shall within the first four hours after every fall of snow, or fall of hail or rain which shall freeze on the sidewalks or in the drains, gutters or water-courses, or after a fall of snow from off any building, cause the same to be removed entirely off the sidewalks and to the breadth of one foot out of the drains, gutters or water-courses opposite each house, shop, church, chapel, or other building, as aforesaid; and in case the ice or snow shall be so frozen that it cannot be removed without injury to the sidewalks or pavements, every such person as aforesaid shall strew the same with ashes, sand or some other suitable substance; but no person shall sprinkle, spread or place, or cause to be sprinkled, spread or placed, any salt or like substance on the road or carriage-way of any public highway or street within the said City with the intent, or for the purpose of melting or dissolving any snow, ice, or dirt, which may have accumulated on any road or carriage-way of any such street or public highway.

If the ice or snow
cannot be re-
moved without
injuring the
sidewalk, ashes
or sand to be
strewed over the
same.

Salt not to be
placed on the
street.

If snow not re-
moved, City In-
spector to have
it removed and
prosecute the of-
fender.

17. That in case the snow, ice or dirt, be not removed, or the sidewalks made safe and convenient as hereinbefore provided by twelve o'clock noon of each and every day (Sundays excepted) as aforesaid, it shall be the duty of the City Inspector for the time being, or such other person

or persons to be appointed by the said Municipal Council for that purpose, to cause such snow, ice or dirt to be removed at the expense of the said Corporation and to give information and prosecute such persons so neglecting to remove the snow, ice or dirt as aforesaid, and in such case the fine to be imposed upon such persons so offending shall not be less than the expense so incurred: Provided always, that such expense shall not exceed the sum of ten dollars.

No. 467.
Streets, Sidewalks
and Nuisances.

Penalty to be
imposed.

18. That every occupant, and in case there is no occupant, the owner of every house, shop, or building, and every person having the charge or care of any church, chapel, or other public building, abutting on or erected within ten feet of any public street, thoroughfare, sidewalk or pavement, shall whenever snow or ice shall accumulate on the roof or eaves of his house or building as aforesaid, to an extent that shall be dangerous to persons passing, cause the same to be forthwith removed therefrom, and every person while removing the same shall take due and proper care and precaution for the warning and safety of persons passing.

Snow to be removed from the
roofs of buildings.

REMOVING BUILDINGS.

19. That no person shall remove, or cause or permit to be removed, or assist in removing, any building into, along or across any street or sidewalk in the said City, without having first obtained leave in writing from the Board of Works.

Buildings not to
be removed without
leave of the
Board of Works.

CORDWOOD AND COAL.

20. That no person shall throw or pile cordwood, firewood or coal upon any paved or planked sidewalk or upon any of the streets of the said City, or saw or split cordwood or firewood thereon, so as to obstruct the free use thereof; and no person shall stand on any such sidewalk with his wood-saw and horse so as to obstruct a free passage for foot passengers.

Wood or coal not
to be placed on
the sidewalk.

Woodcutters not
to obstruct the
sidewalk.

No. 467.
Streets, Sidewalks
and Nuisances.

MERCHANDIZE.

Merchandise not
to be placed on
the streets or
sidewalks.

Goods exposed on
the outside of
shops.

Reception or de-
livery of mer-
chandize.

Board of Works
may grant per-
mission to erect
platforms across
the drains to
facilitate the re-
ception or deli-
very of merchan-
dize.

21. That no person shall place any goods, wares, or merchandise, or other articles of any kind, upon any street, or upon any sidewalk, or hang or expose any goods, wares, or merchandize, or other articles outside of any house or shop or warehouse or other building, which shall project over any portion of the sidewalk of any street, or over any street, more than eighteen inches from the line or front of such person's house, shop, or warehouse, on such street or streets, of the said City: But the provisions of this section shall not be construed to interfere with the use of a portion of such street or sidewalk for a reasonable time during the taking in or delivery of merchandize or other goods, or prevent the said Board of Works from granting permission to construct platforms across the drains, gutters, or water-courses, on any of the streets of the said City where such Board may deem it necessary or advisable to grant such permission for facilitating the reception or delivery of merchandize or other goods, provided such Board in all cases reserves to itself the right to withdraw any permission they may have granted whenever it may be shewn that a nuisance has thereby been established.

AUCTIONS.

Auctions prohibi-
ted in the streets.

22. That no person, without having first obtained leave from the said Board of Works, shall sell by auction upon any of the streets or sidewalks of the said City any horses, carriages, furniture, or any other article whatsoever.

NOISES.

Advertising sales
by street crying.

23. That no person shall advertise any sale of merchandise, furniture, or any other article or any matter, by the ringing of any bell, blowing of any horn, crying, hallooing or creating any other discordant noise, in any of the streets of the said City, or on the steps, in the halls, or other parts of any house or other premises open to the public street, whereby the public are liable to be subjected to inconvenience and annoyance: Provided always, that nothing

The City Bellman.

contained in this clause shall be construed to extend to any party duly appointed and authorized by the said Municipal Council to follow the calling of Public Crier or City Bellman.

No. 467.
Streets, Sidewalks
and Nuisances.

EXCAVATIONS.

24. That no person or persons shall break, tear up, or remove any planking, pavement, sidewalk, curbing, macadamizing, or other road surface, or make any excavation in or under any street or sidewalk of the said City, for the purpose of building or otherwise, without having first obtained a proper permit or license from the said Board of Works so to do; and such permit being granted the same shall be done under the direction of the City Engineer, and shall, under the same inspection, be replaced, relaid and made good by the parties who may have required to have the same removed; and such removal shall not be allowed to continue any longer than is absolutely necessary: And further, that in every case where the said Board of Works may see fit to grant permission as aforesaid, the party to whom the same is granted shall be held responsible for any and all accidents that may occur to any person or property by reason thereof, and shall keep and maintain such lights and watchmen, and shall take such further care and precaution as may be necessary for the protection and safety of the public.

Excavations not
to be made with-
out leave of the
Board of Works.

Excavations to
be under the di-
rection of the
City Engineer.

Party making
excavations to be
responsible for
accidents, and to
keep lights and
watchmen.

REMOVAL OF GRAVEL, SAND, OR EARTH.

25. That no person shall take away any of the gravel, sand or earth forming the beach in front of the said City, or that part of the said City commonly known as "The Island," or dig up, take or carry away, any earth or sand from any street laid out in the said City or from any vacant lot belonging to the said the Corporation of the City of Toronto, without having first obtained permission from the Committee of the Council having authority to grant the same.

Gravel or sand
not to be re-
moved without
permission.

ENCROACHMENTS, AWNINGS AND SIGNS.

26. That no person shall, without having first obtained leave from the said Board of Works, construct, place or

Doors, steps,
porches or other
entrances to

No. 467.
Streets Sidewalks
and Nuisances.

Buildings not to
encroach on the
sidewalk.

make any movable traps or doors, for the purpose of entrance to any cellars or premises under any building or place, or make any steps or porches or other entrances to buildings which shall in anywise encroach upon the sidewalks or streets of the said City.

Awnings or signs
not to extend
over the side-
walk without the
permission of the
Board of Works.

27. That no person shall erect or continue any awning, sign, sign-post, hanging or swinging-sign, which shall in any way extend over any street or sidewalk in the said City, unless a plan thereof shall be first submitted to and approved of by the said Board of Works upon the report of the City Engineer.

If awnings or
signs are not re-
moved after
notice, an officer
of the City may
remove them.

28. That it shall and may be lawful for any person or persons appointed by the said Municipal Council of the said City for that purpose, after fourteen days' notice in writing served on the owner or occupier of any premises before which such last mentioned awning, sign, sign-post, hanging or swinging sign exists, to cause the same to be removed, and no person or persons shall obstruct or impede such person or persons so appointed in the due execution of the provisions of this section.

CLIMBING AND DEFACING.

Climbing lamp-
posts, trees or
fences.

29. That no person shall be allowed to climb on any of the lamp-posts in the streets or parks, or on or into any of the fences of the College Avenue, squares, parks or public places of the said City, or upon any of the railings or fences along any of the streets of the said City.

Defacing or in-
juring buildings
or other prop-
erty.

30. That no person shall deface or disfigure any public or private building or buildings, wall, fence, railing, sign, monument, post or other property in the said City by cutting, breaking, daubing with paint or other substance, or shall in any other way injure the same.

PROTECTION OF TREES.

Destroying trees

31. That no person shall climb, bark, break, peel, cut, deface, remove, injure or destroy, the whole or any part of

any tree, sapling or shrub, now growing or which shall hereafter be planted by any person or persons or by the said The Corporation of the City of Toronto in any street, square, park, or public place of the said City; nor may any such tree be cut down or removed, unless by permission of the Committee of the Council having authority to grant the same.

No. 467.
Streets, Sidewalks
and Nuisances.

Removal of trees.

32. That every person having a contract for macadamizing or paving streets, or making sidewalks, or doing any work on the streets for the said City, shall in executing the contract or performing the work avoid injuring any tree, sapling or shrub, which has heretofore or shall be hereafter planted in any street, square, park, or public, place of the said City, and if he finds it impossible to perform the work without injuring any such tree, it shall be his duty to apply to the City Engineer for instructions in the matter, who, upon order of the Committee of the Council having authority to grant the same, may, in writing signed by him, give such authority.

Contractors to
avoid injuring
trees.

When the work
cannot be done
without injuring
trees application
to be made to the
City Engineer.

33. That a copy of every written authority given by the City Engineer to remove or interfere with any such tree, shall be preserved in his office for public reference.

Copy of authority
to remove trees
to be kept.

34. That no person shall fasten any horse or other animal to any tree, sapling, or shrub, now growing or which may be hereafter planted in any street, square, park or public place of the said City, or to any case or box around any such tree, sapling or shrub.

Horses not to be
fastened to trees.

FIRE AND FIREWORKS.

35. That no person shall set fire to any shavings, chips, straw or other combustible matter for the purpose of consuming the same in any of the streets or parks of the said City, or in any enclosure within fifty feet of any building, and no person shall carry fire through any of the streets or parks in the said City, except in some covered vessel or metal fire-pan.

Fires not to be
made in the
streets or near
any building, or
carried through
the streets, except
in a fire-pan.

No. 467.
Streets, Sidewalks
and Nuisances.

Bonfires, firearms
or fireworks pro-
hibited in the
City without per-
mission.

Fireworks not to
be used near a
crowd or where
there are animals.

36. That no person or persons shall make or light any fire or bonfire, in any of the streets, squares, parks, or public places of the City, or shall fire or discharge any gun, fowling piece, or firearms, or shall set fire to any fireworks within the said City, unless specially authorized by the Mayor or the Municipal Council of the said City, and no person or persons shall light, set off, or throw any cracker, squib, or serpent, or other noisy, offensive, or dangerous substance, or fireworks in any place where or near to which there is any crowd or assemblage of people, or where there are any animals liable to be frightened thereby.

THROWING DANGEROUS MISSILES.

Throwing stones
snow-balls or
other missiles.

37. That no person shall cast, project, or throw any stones, or balls of snow or ice, or other missiles dangerous to the public, or use any bow and arrow in any of the streets, parks or public places of the said City.

INDECENCY.

Bathing.

38. That no person shall bathe or swim along or near the piers, wharves or shores, of the said City, between the Rolling Mills on the east and the Queen's Wharf on the west, from the hour of seven o'clock in the morning to nine o'clock in the evening; nor shall any person indecently expose any part of his or her person in any public place, or in any of the streets, parks or public places of the said City, nor shall the plea of answering the call of nature be considered a palliation of the offence.

Indecent expo-
sure.

Indecent writings
or pictures on the
walls.

39. That no person shall post or put up any indecent placard, writings or pictures, or write any indecent or immoral words, or make any indecent pictures or drawings on any public or private building, wall, fence, sign, monument, post, sidewalk, or pavement in any of the said streets, parks, or public places of the said City.

INTERPRETATION.

Construction of
the word "street."

40. That whenever the word "street" or "streets" is mentioned in this By-law, it shall be understood and construed as including all highways, thoroughfares, lanes, roads, alleys, avenues, bridges, courts, court yards, commons, public

squares, and public places; and shall be also understood as including the sidewalks, unless the contrary is expressed, or such construction would be inconsistent with the manifest intent of this By-law.

No. 468:
Common Sewers

PENALTY.

41. That any person or persons guilty of an infraction of any of the provisions of this By-law, shall upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars, for each offence, together with the costs of prosecution, and in default of payment thereof forthwith, it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate and Justice or Justices, or any two or more of them are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

Penalty.
Distress in default of payment.

Commitment in default of distress

No. 468.

A By-law to provide for regulating the Common Sewers, and an Annual Rental or Sewerage Rate.

PASSED 26TH OCTOBER, 1868.

WHEREAS it has been found necessary from time to time to make provisions for regulating the common sewers in the City of Toronto, and to provide for an annual rental or sewerage rate :

No. 468.
Common Sewers.

And whereas it is expedient to consolidate all the Acts and By-laws of the said City heretofore existing that in any way relate to the subjects aforesaid, and to incorporate them into one By-law :

Therefore the Municipal Council of the Corporation of the City of Toronto enacts as follows :

Repeal of former
By-laws.

1. That from and after the passing of this By-law, the following By-laws of the City of Toronto shall be, and the same are hereby repealed, that is to say, By-laws numbers sixteen, two hundred and forty, two hundred and ninety-five, three hundred and four, three hundred and ninety-six, and four hundred and twenty.

Board of Works
may construct
common sewers
where necessary
for sanitary pur-
poses

2. That from and after the passing of this By-law, it shall and may be lawful for the Board of Works, under the sanction and by the order of the Municipal Council of the City of Toronto, to construct common sewers and drains in such parts of the said City as they may deem necessary for sanitary purposes, or where at least two-thirds in number and one-half in value of the owners of the real property on any street, lane or highway, or any portion thereof, clearly defined by cross streets, shall by petition to the said Municipal Council require the same, which said petition shall be subject to the By-law of the said City of Toronto number four hundred and sixty-nine, and entitled, "A By-law to provide for the assessment of property benefited by local improvements." Provided always that such street, lane or highway, or portion thereof, be so situate as to afford a proper and sufficient outlet for such drain.

Or upon petition
of the real pro-
perty owners.

Property abut-
ting a street on
which there is a
common sewer to
be drained into it.

3. That from and after the passing of this By-law, the grounds, yards, vacant lots, or other properties, abutting on any street or portion of any street, in the said City of Toronto, through which a common sewer has heretofore been constructed, and which is opposite to such common sewer, shall be drained into such common sewer.

4. That it shall not be lawful for any person or persons to make or construct any drain or sewer in any part of the public streets of the said city through which any common sewer shall have been constructed, or to make any excavation for the purpose of cleansing any sewer already constructed, unless such sewer shall communicate with the common sewer upon the terms and with the license and permission hereinafter mentioned.

No. 468.
Common Sewers.
Private drains or
sewers.

5. That no person or persons shall be allowed to make or construct any drain or sewer in or through any part of such streets wherein the said common sewers shall have been constructed, unless such person or persons shall have previously obtained a license so to do, which said license shall be granted by the said Board of Works, upon payment or engagement or undertaking to pay such sums of money as by the said Board of Works may be determined.

Private drains or
sewers not to be
constructed
where there is a
common sewer
without a license
from the Board
of Works.

6. That all private sewers or drains so to be constructed to communicate with the said common sewers, shall be in such shape and form, and communicate with the said common sewers in such manner, and at such parts thereof, as the said Board of Works shall from time to time direct and appoint.

Private sewers to
communicate
with the common
sewers as the
Board of Works
shall direct.

7. That all private and other drains crossing the course of such common sewers, or running in or through any part of the streets of the said City, unless such as shall communicate with the said common sewer, shall be forthwith filled up and obstructed.

Drains crossing
common sewers
and not commu-
nicating there-
with to be filled
up.

8. That nothing in this By-law contained shall be construed to prevent the letting in of sewers from the streets of the said City in which no common sewer shall have been constructed, into the said common sewers, if such sewer so to be let in shall not be used to drain premises having a front on a street in which such common sewer shall have been constructed, and if such sewer shall be let in in such manner and form as the said Board of Works shall direct and appoint.

Sewers from
streets having no
common sewer
may be let into a
common sewer if
it do not drain
premises fronting
a street in which
there is a com-
mon sewer.

No. 468.
Common Sewers.

Injuring sewers.

9. That no person shall commit damage or injury to any of the said common sewers, or to any private drain or sewer communicating therewith.

Owners or occupiers of property who have paid for the use of a common sewer shall use the same free of charge.

10. That the owners and occupiers of all properties abutting on any streets upon which said common sewers have been constructed, who have heretofore paid the sum required by By-law to be paid for the privilege of using such common sewer, shall continue to use the same, free of charge, for the number of feet for which they have so paid.

Owners or occupiers of property who have not paid for the privilege of draining shall be charged an annual rent.

11. That all persons who own or occupy property which is drained into any such common sewer, or which is required by this By-law to be drained into such sewer, and who have not heretofore paid for the privilege of so draining as aforesaid, shall be charged an annual rental per foot of the frontage of such property abutting on such street, or portion of a street as aforesaid, for the use of such common sewer, that is to say : Firstly, In section number One, including all that portion of the said City of Toronto, lying between the centre of Parliament Street on the east, the centre of Queen Street on the north, the centre of Simcoe Street on the west, and the waters of the Bay on the south, twelve and one-half cents per foot per annum : Secondly, In section number Two, including all that portion of the said City lying between the centre of Queen Street, on the south, the centre of Spadina Avenue on the west, the centres of College Street, College Avenue and Carlton Street on the north, and the centre of Parliament Street on the east, ten cents per foot per annum : Thirdly, In section number Three, including all those portions of the said City not included in sections numbers One and Two, nine cents per foot per annum ; Provided always, that when any grounds, yards, vacant lots, or other property, is situate at the intersection of a street with any lane or alley, upon each of which streets, lanes or alleys there is a common sewer, the fronts only of such grounds, yards, vacant lots, or other property, together with so much of the flank thereof as the said flank exceeds eighty feet, shall be assessed for the rental hereby imposed.

In section No. 1, twelve and one-half cents per foot per annum

In section No. 2, ten cents per foot per annum.

In section No. 3, nine cents per foot per annum.

Property situate at the intersection of a street.

12. That the owner or occupier of any property so required to be drained, may commute for the payment of the annual rent therein mentioned, by a payment of one dollar and ten cents per foot frontage for property in section number One; of ninety cents per foot frontage for property in section number Two; and of eighty cents per foot frontage for property in section number Three; with interest on such payment at the rate of six per centum per annum, to be computed from the first day of January, in the year of our Lord one thousand eight hundred and sixty-one, deducting in each case one-twentieth of the above-named sums, if the said one-twentieth has been previously paid.

No. 468.
Common Sewers.

Owners or occupiers of property may commute.

13. That it shall be the duty of the City Engineer for the time being, at such time as he may be required so to do, to render to the Chamberlain of the City of Toronto, a statement of all sewers which have been constructed during the then preceding year, showing the names of the streets in which said sewers have been constructed, the extent and cost thereof, the names of proprietors whose properties may front on such streets, and the frontage of the lot or lots owned by such proprietors, and such further information as may be required to enable the said Chamberlain to assess such properties in accordance with the provisions of this By-law.

The City Engineer to make a statement of sewers constructed in each year.

14. That it shall be the duty of the said Chamberlain, sometime in the month of January in each and every year, to make out separate rolls of the annual rentals due for the use of the common sewers in each ward of the said City, by the owners or occupiers of property therein, in the Form A, in the Schedule to this By-law annexed, and to cause such rolls to be placed in the hands of the several Collectors of the City appointed therefor.

The Chamberlain to make out separate rolls for rentals due for common sewers.

15. That it shall be the duty of the said several Collectors to demand payment from each and every individual whose name shall appear on the rolls, of the several and respective sums payable by him, her or them, according to the said

The collectors to demand payment of the rentals.

No. 468.
Common Sewers.

rolls, by leaving at his, her or their place of abode a printed bill of the same in the Form B, in the said Schedule, and calling at least once thereafter for the same.

Defaulters to be
proceeded
against.

16. That in case any of the parties so liable, as aforesaid shall refuse or neglect, for fourteen days after demand made, as in the last section is provided, to pay such annual rental, the said Collector shall return such defaulter to the said Chamberlain, who shall forthwith cause the amount in default to be collected by process of law in any Court of this Province having competent jurisdiction.

The Board of
Works may drain
the premises of
those who omit
to drain into the
common sewers.

17. That in case the owner or occupier of any grounds, yards, vacant lots or other property, abutting on any street, or portion of a street, in the said City, wherever a common sewer has been constructed, and which is opposite to such common sewer, shall omit to drain such grounds, yards, vacant lots, or other property, the said Board of Works may cause the same to be drained into such common sewer, and the cost thereof shall be assessed against such owner or occupier.

The cost of drain-
ing premises by
Board of Works
to be inserted on
the Collectors'
rolls.

18. That the said Chamberlain shall cause such assessment for the draining of such grounds, yards, vacant lots, or other property, as in the last section is mentioned, to be inserted in the rolls hereinbefore mentioned, and in default of payment thereof, after demand made, as hereinbefore provided, the same shall be collected in like manner as in the sixteenth section of this By-law is set forth.

The Mayor to ex-
ecute a license to
owners or occu-
piers of property
commuting, to
drain into the
common sewers.

19. That if the owner or occupier of any property required by any By-law of the said City to be drained, shall commute the annual rental chargeable thereon, by the payment of the amount settled hereby, the Mayor of the said City shall execute to the party paying the same, a license to drain the said property into the common sewer, in the Form C, in the said Schedule: Provided always, in case any person required to construct a drain into any common

Persons willing
to pay sewerage
rates without

sewer, does not do so, but is willing to pay the like annual rental or sewerage rate, as if he did use such sewer, without the construction of such drain by the said City, and thereby save to himself the assessment for the construction thereof, and shall execute to the said City a covenant in the Form D, in the said Schedule, the Board of Works shall not, in their discretion, proceed with the construction of the said drain, as by the said seventeenth section of this By-law is provided: Provided further, that nothing herein contained shall prevent the collection of such annual rentals, commutation and assessment moneys, in the manner hereinbefore provided by a Collector or Collectors specially appointed by resolution of the Council for that purpose.

No. 468.
Common Sewers.
using the common sewers to execute a covenant to the Board of Works.

Proviso, not to prevent the collection of rentals, &c.

20. That any person or persons guilty of an infraction of any of the provisions of this By-law, shall upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars for each offence, together with the costs of prosecution, and in default of payment thereof forthwith, it shall and may be lawful for the Mayor, Police Magistrate or Justice convicting as aforesaid, to issue a warrant, under his hand and seal, or in case the said Mayor, Police Magistrate and Justice or Justices, or any two or more of them are acting together therein, then under the hand and seal of one of them to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting, as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour, for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

Penalty.

Distress in default of payment.

Commitment in default of distress

FORM "B."

No. 468.
Common Sewers.

(See Section 15.)

No.

CITY OF TORONTO.

Mr.....

DISTRICT No.....

.....Street Sewer.

1859. To Rental of.....feet frontage, at.....per foot, \$.....

1860. To " " "

1861. To " " "

1862. To " " "

Received payment,

.....Collector.

FORM "C."

(See Section 19.)

No.

TO ALL TO WHOM THESE PRESENTS MAY COME,

The Corporation of the City of Toronto sends

GREETING:—

Whereas, under and by virtue of a certain By-law of the said The Corporation of the City of Toronto, passed on the twenty-sixth day of October, in the year of our Lord one thousand eight hundred and sixty-eight, entitled "A By-law to provide for regulating the common sewers, and an annual rental or sewerage rate." It is enacted, among other things, that from and after the passing of the said By-law, the "grounds, yards, vacant lots, or other properties abutting on any street, or portion of any street, in the said City of Toronto, through which a common sewer has heretofore been constructed, and which is opposite to such common sewer, shall be drained into such common

No. 463.
Common Sewers.

sewer;" and also, "that all persons who own or occupy property which is drained into any such common sewer, or which is required by the said By-law to be drained into such sewer, and who have not heretofore paid for the privilege of so draining as aforesaid, shall be charged an annual rental per foot of the frontage of such property abutting on such street, or portion of a street, as aforesaid, for the use of such common sewer, that is to say: Firstly, In section number one, including all that portion of the said City of Toronto lying between the centre of Parliament Street, on the east; the centre of Queen Street, on the north; the centre of Simcoe Street, on the west; and the waters of the Bay, on the south, twelve and one-half cents per foot per annum: Secondly, in section number two, including all that portion of the said City lying between the centre of Queen Street, on the south; the centre of Spadina Avenue, on the west; the centres of College Street, College Avenue, and Carlton Street, on the north; and the centre of Parliament Street, on the east, ten cents per foot per annum: Thirdly, in section number three including all those portions of the said City not included in sections numbers one and two, nine cents per foot per annum;" and also, "that the owner or occupier of any property so required to be drained, may commute for the payment of the annual rent therein mentioned, by a payment of one dollar and ten cents per foot frontage for property in section number one; of ninety cents per foot frontage for property in section number two; and of eighty cents per foot frontage for property in section number three; with interest on such payment at the rate of six per centum per annum, to be computed from the first day of January, in the year of our Lord one thousand eight hundred and sixty-one, deducting in each case one-twentieth of the above named sums, if the said one-twentieth has been previously paid:"

And whereas of the City of Toronto,
is the of all that certain piece, parcel or lot of land,
situate on Street, in the said City of Toronto,
through which a common sewer hath been constructed,
being composed of and lying in section

No. 468. -
Common Sewers.

In witness whereof the said The Corporation of the City of Toronto have hereunto set their Corporate Seal by _____ Esquire, the Mayor of the said City, countersigned by _____ Esquire, the Chamberlain of the said City, this _____ day of _____ in the year of our Lord one thousand eight hundred and _____

[L.S.]

No. 468.
Common Sewers.

FORM "D."

(See Section 19.)

Whereas being the owner [or occupier] of certain property on Street, in the City of Toronto, [describe the property] in which said street a common sewer has been constructed, and hath been required according to the By-law in that behalf to drain such property into the said common sewer, and having made default therein, the Corporation of the City of Toronto, may by law, build the necessary drain and assess the said for the costs of the construction thereof, and collect the same, together with the sum of annually, as the rental for the use of the said common sewer :

And whereas the said is desirous of paying such annual rental without being put to the expense of the construction of such drain :

Now know ye, that in consideration of the premises, the said doth hereby acknowledge to owe to The Corporation of the City of Toronto, and their successors, the sum of annually, for the annual rental as aforesaid, and doth hereby covenant, promise and agree, to and with the said The Corporation of the City of Toronto and their successors, to pay them the said sum half-yearly, on the first day of the months of and in each and every year henceforth, and the said doth hereby, for the consideration aforesaid, charge the same upon the said property, to be payable thereout, on the days and in manner before mentioned.

In witness whereof the said hath hereunto set his hand and seal, this day of in the year of our Lord one thousand eight hundred and

Signed, sealed and delivered, }
in presence of }

[L.S.]

No. 469.

No. 469.
Assessment for
Local Improve-
ments.

A By-law to provide for the Assessment of property benefited by Local Improvements.

PASSED 26TH OCTOBER, 1868.

WHEREAS it has been found necessary from time to time to provide the means of ascertaining and determining the proportion in which the assessment is to be made on the various portions of the real estate of the City of Toronto to be benefited by local improvements:

And whereas it has been found expedient to consolidate all the Acts and By-laws of the said City of Toronto, heretofore existing, that in any way relate to the subject aforesaid, and to incorporate them into one By-law:

Therefore the Municipal Council of the Corporation of the City of Toronto enacts as follows:

1. That from and after the passing of this By-law, the following By-laws of the said City of Toronto shall be, and the same are hereby repealed, that is to say, By-laws numbers two hundred and seventy-eight and two hundred and seventy-nine.

Repeal of
By-laws Nos. 278
and 279.

2. That all petitions for local improvements to be made under the provisions of this By-law, if received by the Council and referred to the Board of Works, shall be examined by the Clerk of the Council, whose duty it shall be to ascertain and finally determine whether the same are signed by two-thirds in number and one-half in value of the owners of the real property to be directly benefited thereby, and such petitions when found to be correct as aforesaid, shall be numbered by him in the order they are received, and be entered at length in a book to be kept for that purpose, to be called the Local Improvement Book, and the

The City Clerk
to examine, number
and enter
petitions.

To certify and
transmit them to
the Board of
Works.

No. 469.
Assessment for
Local Improve-
ments.

Clerk shall endorse upon such petitions his certificate of the correctness thereof, and of the value of the whole of the real property ratable under the By-law, and shall forthwith so transmit the same to the said Board of Works.

When petitions
are passed by the
Council the Clerk
to forward them
to the City En-
gineer.

3. That it shall be the duty of the Clerk, so soon as the said Board of Works shall have reported to the Council in favor of the prayer of such petitions, and their report thereon shall have been adopted by the Council, to cause a copy of the petitions to be forwarded without delay to the officer named in the next succeeding section of this By-law, for his immediate action thereon.

The City Engi-
neer to report to
the Council what
property will be
benefited and the
amount of the
assessment.

4. That it shall be the duty of the City Engineer for the time being, upon receipt of a copy of the petitions from the Clerk, to proceed at once to ascertain and determine what real property will be immediately benefited by the proposed improvement, and to ascertain and determine the proportion in which the assessment to defray the cost thereof is to be made on the various portions of the real estate so benefited, and to report the same to the Council at its next meeting, which report when approved by the Council, shall be entered in the said Local Improvement Book.

His report to be
entered in the
local improve-
ment book.

The City Clerk to
notify parties of
the assessment.

5. That the said Clerk so soon as the report of the City Engineer is entered in the Local Improvement Book as provided by the fourth section of this By-law, shall cause a notice to be left at the place of abode of such parties to be assessed for such improvement, that the said assessment has been made and the amount thereof, and that a By-law in accordance therewith will be passed by the Council unless the same be appealed from in manner provided by the Act twenty-nine and thirty Victoria, chapter fifty-one of the Statutes of the late Province of Canada, and entitled "An Act respecting the Municipal Institutions of Upper Canada."

No. 470.

No. 470.
Fences and Fencing-in of Vacant Lots.

A By-law to regulate Division or Line Fences in the City of Toronto, and to enforce the Fencing-in of Vacant Lots.

PASSED 26TH OCTOBER, 1868.

WHEREAS it has been found necessary from time to time to make provision for regulating the height, extent and description of lawful division or line fences in the City of Toronto, and for determining how the cost thereof shall be apportioned, and for the fencing-in of vacant lots in the said City:

And whereas it is expedient to consolidate all the Acts and By-laws of the said City heretofore existing that in any way relate to the subjects aforesaid, and to incorporate them into one By-law:

Therefore the Municipal Council of the Corporation of the City of Toronto enacts as follows:

1. That from and after the passing of this By-law the following By-laws of the City of Toronto shall be, and the same are, hereby repealed, that is to say, By-laws numbers one hundred and thirty-four and three hundred and twenty-six.

Repeal of By-laws
Nos. 134 and 326.

2. That from and after the passing of this By-law all division or line fences between tenements in the City of Toronto, shall be made, kept up and maintained as lawful fences by the parties owning or occupying the land immediately adjoining thereto, and divided by such fences, each party maintaining an equal proportion of the same, and in case the land on one side of any such fence shall not be used or cultivated, then the person occupying the land under cultivation or in use which is enclosed by such fence, shall be bound to keep the said fence as a lawful fence, and the owner or occupier of land which is wild and uncultivated, or lying as a common, or used as a road or lane, shall not be bound to maintain a share of the fence between such

Division fences to be kept up in equal proportions by parties owning the adjoining land.

When the land on one side of the fence is not used or cultivated the party who owns the land under cultivation to keep up the fence

No. 470.
Fences and Fencing-in of Vacant Lots.

until the other lands become used or cultivated.

wild and uncultivated land, or common or road or lane, and adjoining land in the occupation of another party which shall be so used or cultivated; Provided always, that so soon as any such lands which may have been lying wild and uncultivated, or as a common, or used as a road or lane, shall become tilled or otherwise used, the owner or occupier thereof shall from thenceforth become liable to repair, maintain and keep his share of the division fence between such land and the adjoining land, and shall pay to the other party as compensation for that part of the fence which he may become liable to maintain, such sum of money as may be mutually agreed upon by the parties themselves, or in case of their disagreement, as may be awarded by the City Inspector and Arbitrator or Arbitrators, to be named as hereinafter provided.

Disputes to be settled by the City Inspector and two Arbitrators.

3. That whenever parties owning or occupying lands adjacent to each other, shall dispute and not be able to agree in apportioning to each other the part of the fence to be so maintained by each party, then and in such case, every such dispute shall be settled by the City Inspector for the division of the City in which the land lies, and two Arbitrators to be chosen by the parties so in dispute, one to be chosen by each, who shall meet at an hour to be named by the City Inspector at the place where the land lies, and shall then and there decide which part or proportion of such fence each party shall keep up and maintain, but shall not have power to compel either party to make any particular sort of fence, or to oblige either party to pay for his proportion of a fence already built at a greater rate than one dollar and fifty cents per rod.

Meetings and powers of Arbitrators.

Neglecting or refusing to appoint Arbitrators

4. That if either of the parties in dispute shall, upon being called upon by the other party to appoint his Arbitrator, neglect or refuse so to do within three days after being so called upon, then and in every such case, the other party shall be allowed to choose his Arbitrator, if he shall think fit so to do, and such Arbitrator shall, with the said City Inspector, proceed in the manner above mentioned to apportion to each party his share of the fence so to be kept and maintained by him, and the decision of the City In-

spector and such one Arbitrator so chosen, or the decision of the City Inspector alone, where neither Arbitrator is chosen, or the decision of the City Inspector and both Arbitrators, or the majority of them, where both Arbitrators are appointed as under the next preceding section shall be final and shall be made in writing and signed by the City Inspector and Arbitrator, or Arbitrators, agreeing thereto; and it shall be the duty of the City Inspector, or one of the parties signing such decision, to file the same in the office of the Clerk of the Municipal Council, and which when filed, shall at all reasonable hours be open to inspection by the parties concerned.

No. 470.
Fences and Fencing-in of Vacant Lots.

Decision of arbitrators to be in writing.

To be filed in the office of the Clerk of the Council.

5. That every division or line fence shall be of the height of five feet six inches, and so constructed as not to allow any animal liable to be impounded to get past or beyond the same without having to break it down or leap over it; and that any and every fence so made and constructed of the aforementioned height of five feet six inches, and of reasonable strength, shall to all intents and purposes be a lawful fence within the said City of Toronto.

Description of lawful fence.

6. That if any animal or animals shall break down or leap over any division or line fence, which shall not have been a lawful fence as aforesaid, the party liable to keep, make or maintain such part of the fence as shall be so broken down or leaped over, shall be answerable for all damages done by any animal or animals which shall so break down or leap over such fence, such damage to be recovered in the manner provided for the recovery of damages for such animal or animals as shall trespass upon the land of any person or persons being enclosed by a lawful fence within the said City, in accordance with the terms of the By-law of the City of Toronto, number four hundred and seventy-four entitled "A By-law to provide for the appointment of Pound-Keepers, and to regulate the Pounds in the City of Toronto," or in such manner as the law directs.

If animals break down a fence, not a lawful fence, the parties liable to keep or maintain such fence to be answerable for all damages.

7. That whenever the City Inspector shall be so called upon to act with or without the Arbitrators, and shall

Fees to be paid the City Inspector

No. 470.
Fences and Fencing-in of Vacant Lots.

make and file a decision as hereinbefore provided, he shall be entitled to demand and receive for City purposes the sum of one dollar, to be paid either wholly by the person calling upon him, when the other party shall not choose to appoint his Arbitrator, or by both paying an equal share when such party chooses or appoints his Arbitrator, and recoverable by suit in the Division Court.

Owners or occupiers of vacant lots to fence in the same.

8. That the owners or occupiers of every vacant lot abutting on any street, road, lane, or other highway, within the limits of the said City, shall fence in the same within six days from receiving notice from the City Engineer to that effect, and shall keep and maintain all such fences in perfect repair, to the satisfaction of that officer.

Description of fence.

9. That every such fence, if closely boarded, shall not be less than six feet in height; if of any other description, it shall be sufficient to protect the streets and the public against the creation or perpetuation of any nuisance or inconvenience whatsoever.

Penalty.

10. That any person or persons neglecting or refusing to comply with, or who shall be found guilty of an infraction of any of the provisions of this By-law, shall upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars, for each offence, together with the cost of prosecution, and in default of payment thereof forthwith, it shall and may be lawful for the Mayor, Police Magistrate or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate and Justice or Justices, or any two or more of them, are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to

Distress in default of payment.

Commitment in default of distress.

satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the Common Jail of the said City of Toronto, with or without hard labour, for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

No. 472.

A By-law to provide for the appointment of Chimney Inspectors and to define their duties.

PASSED 26TH OCTOBER, 1868.

WHEREAS it has been found necessary from time to time to appoint Chimney Inspectors for the City of Toronto, and to regulate their duties:

And whereas it has been found expedient to consolidate all the Acts and By-laws of the said City heretofore existing that in any way relate to the subject aforesaid, and to incorporate them into one By-law:

Therefore the Municipal Council of the Corporation of the City of Toronto enacts as follows:

1. That from and after the passing of this By-law, the following By-laws of the City of Toronto shall be, and the same are, hereby repealed, that is to say, By-laws numbers three hundred and nineteen and four hundred and thirty-six. Repeal of By-laws Nos. 319 and 436.

2. That to provide for and better define the powers and duties of Chimney Inspectors hereinafter appointed, the City shall be divided into three separate and distinct districts, as follows:—District number one, all that part of the City which lies east of the centre line of Simcoe Street, produced north to the concession line, and south to the Bay and west of the centre line of Church Street, pro- The City to be divided into three districts. District No. 1.

No. 472.
Chimney In-
spectors.

District No. 2.

District No. 3.

duced north to the concession line and south to the Bay ; District number two, all that part of the City which lies west of District number one : District number three, all that part of the City which lies east of District number one.

Appointment of
Chimney Inspec-
tors and their
duties.

3. That the Municipal Council of the Corporation of the City of Toronto, shall appoint three Chimney Inspectors for the said City, recommended by the Standing Committee on Fire, Water and Gas, whose several duties shall be :—

To provide brush-
es, &c., for clean-
ing chimneys.

(1) To provide themselves with such brushes and other apparatus for cleaning chimneys as shall be approved of by the Standing Committee on Fire, Water and Gas, and they shall not be entitled to collect the rates and fees herein authorized, unless the said apparatus is used in each case.

To sweep the
chimneys and
flues in their dis-
tricts.

(2) To cause to be well and effectually swept, each and every flue or chimney in use in the said City, within their several districts, and they are hereby authorized and empowered to demand and receive the following rates and fees, namely :—For a one-story house, ten cents each flue ; for a two-story house, fifteen cents each flue ; for a house over two stories, twenty cents each flue ; which charge shall be paid by the occupier or occupiers of every such house, tenement or building.

Fees

To accompany
the chimney
sweepers in their
rounds, and see
that they proper-
ly discharge
their duties.

(3) To accompany in person the chimney sweepers in their rounds through their respective districts, to see that they discharge their duties in a careful and proper manner, and without soiling carpets or other furniture, or any portion of the premises, or causing unnecessary annoyance or trouble to the householders, and they shall give to each householder within their said districts at least two days' notice of the time when they will attend to sweep the chimneys of such householder, and they shall in no case be more than thirty minutes after the time so appointed.

To give two days
notice of their
attendance to
sweep chimneys.

- (4) To make a report to the Clerk of the Council of the Corporation of the City of Toronto on each and every Monday in the year, by ten o'clock in the forenoon, containing all infractions of this By-law, by whom, and where committed, and shall prosecute to conviction, where practicable, all such offenders.

No. 472.
Chimney In-
spectors.

To report to the
Clerk of the
Council every
Monday.

4. That no person or persons other than the Chimney Inspectors appointed by the said Municipal Council, shall sweep or cause to be swept for hire or gain, any chimney or flue in the said City, nor shall any Chimney Inspector so appointed, sweep or cause to be swept, any flue or chimney which is not within the district he is appointed to inspect.

No person except
the Inspectors to
sweep chimneys
in the City for
hire or gain.

5. That shop and parlour chimneys, not used except in winter, shall only be required to be swept once in each year, and kitchen chimneys twice in each year.

Shop, parlour and
kitchen chim-
neys.

6. That no occupier or occupiers of any house, tenement or building, after being duly notified, shall refuse to let his, her or their chimneys or flues be swept in the manner and as often as aforesaid, or shall refuse, after any flue or chimney shall be swept as aforesaid, to pay the rate or charge authorized to be demanded by the Chimney Inspector, nor shall any Chimney Inspector, his agent or servant, either when giving notice of his or their intention to sweep, or when sweeping any flue or chimney, or when collecting their fees, or at any other time whatever use any insolent, abusive or offensive language to the inmate of any house, tenement or building, in the said City.

Occupiers of
houses not to re-
fuse to let their
chimneys be
swept or to pay
the rates.

The Inspectors
not to use inso-
lent language.

7. That in all cases where any chimney shall catch fire within the said City, and the case can be traced to negligence or carelessness on the part of the Inspector, the said Inspector shall himself be liable to the same penalty as is prescribed for the breach of any of the other provisions of this By-law.

The Inspector to
be liable when
chimneys catch
fire owing to his
negligence.

8. That any person or persons guilty of an infraction of any of the provisions of this By-law, shall upon conviction before the Mayor, Police Magistrate, or any Justice or

Penalty.

No. 473.
Fire Department

Distress in de-
fault of payment.

Commitment in
default of distress

Justices of the Peace, for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars for each offence, together with the costs of prosecution; and in default of payment thereof forthwith, it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate and Justice or Justices, or any two or more of them, are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress, and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

No. 473.

A By-law for the organization and management of the Fire Department.

PASSED 26TH OCTOBER, 1868.

WHEREAS it has been found necessary from time to time to make rules and regulations for the organization and management of the Fire Department in the City of Toronto :

And whereas it has been found expedient to consolidate all the Acts and By-laws of the said City heretofore existing, that in any way relate to the subject aforesaid, and to incorporate them into one By-law :

Therefore the Municipal Council of the Corporation of the City of Toronto enacts as follows :

1. That from and after the passing of this By-law, the following By-laws of the City of Toronto shall be, and the same are hereby repealed, that is to say, By-laws numbers three hundred and forty-three, three hundred and fifty-four, three hundred and fifty-nine and four hundred and forty-five.

No. 473.
Fire Department
Repeal of By-laws
Nos. 343, 354,
359 and 445.

2. That the Fire Department of the said City of Toronto shall hereafter consist of:—One Chief Engineer; one Assistant Engineer; one Engineer and Fireman for each engine; one caretaker of hose and other apparatus; and one Fire Company of not less than thirty-four men, whose names, with the dates of their admission and the dates of their leaving the Fire Department, shall be enrolled by the Chief Engineer in a register to be kept by him for that purpose, which said register may contain any other particulars that the Standing Committee on Fire, Water and Gas shall deem expedient or necessary.

Construction of
the fire department.

Names of members to be registered.

3. That upon the enrolment of any person as a member of the Fire Department, the Chief Engineer shall give such person a certificate that he is enrolled a member of the Fire Department, which certificate shall contain the date of his admission and such other particulars as the said Committee may consider necessary and expedient.

Members to receive a certificate of their enrolment.

4. That whenever any member of the Fire Department, regularly enrolled, has regularly and faithfully served in the Fire Department for the space and term of seven years consecutively, such member upon his producing a certificate from the Chief Engineer of his having so served, shall receive a certificate from the Clerk of the said Municipal Council that he has been regularly enrolled and served as a member of the Fire Department for the space of seven years, and such certificate shall exempt the individual named therein from the payment of any personal statute labour tax thereafter, and from serving as a juror on the trial of any cause in any court of law within the Province of Ontario.

Members to receive a certificate after seven years

Such certificate to exempt the individual named therein from statute labour tax and from serving as a juror.

No. 473.
Fire Department

Rewards for distinguished services.

5. That any person who, in the discharge of his duty as a Fireman, distinguishes himself in the performance of a gallant act, by which life or property shall or may be saved, such person shall be entitled to receive reward therefor, either by the presentation of a medal, or such pecuniary assistance as the said Municipal Council may by resolution direct.

Relief to the families of those who have died from injuries received in the performance of their duties.

6. That any person who, while engaged in his duty as a Fireman, has received, or may hereafter receive any injury, which has proved or may hereafter prove the cause of his death, the widow and orphans (if any) of such person shall be entitled to receive such pecuniary aid as the said Municipal Council may, by resolution determine.

The apparatus of the fire department.

7. That the apparatus of the Fire Department shall consist of:—Steam fire engines; hose carts and hose; hook and ladder trucks; and other necessary apparatus, including hydrants and water tanks, and in such numbers as from time to time, shall be deemed necessary by the said Committee.

Horses and drivers for the engines.

8. That until the said Municipal Council shall have purchased a sufficient number of horses to draw the engines and other apparatus, to and from fires, the said Committee shall secure and hire the services of good and efficient horses and drivers, to be kept always in readiness, to haul and drive the said engines and other apparatus to and from fires, and for the performance of such other duties connected with the Fire Department as may be determined upon by the said Committee.

Cabmen and carters when required to assist with their horses in hauling the engines.

9. That whenever the services of men or horses are required to drive or haul any of the engines or other apparatus of the Fire Department to or from fires, any of the engineers of the Fire Department, or any person having in charge any engine or any other apparatus, may command the assistance of any horse or horses, and drivers of any licensed cart, cab or carriage, and may press such horse or horses and drivers as may be necessary to accomplish the work required, and for any such service the owner of

any such horse or horses, as shall be so pressed and employed, shall be paid out of the appropriation for the Fire Department, on the order of the Chairman of the said Committee, a sum equal to fifty per centum advance on the regular tariff charges for the time so employed.

No. 473.
Fire Department
Fees to be paid
for their services.

10. That all persons at or near any fire shall assist in extinguishing the same, and in removing furniture, goods and merchandise from any building on fire, or in danger thereof, and in guarding and securing the same, and in demolishing any house or building when required so to do by the Mayor or any of the Aldermen, or by any of the Engineers of the Fire Department, or by any of the City Police.

All persons when
required to assist
at fires.

11. That the Chief Engineer shall be appointed by the said Municipal Council, and all other officers and members of the Fire Department shall be appointed, and may be removed from office by the said Committee.

Appointment of
City Engineer
and members of
the fire department.

12. That the salary of the Chief Engineer shall be fixed by the said Municipal Council, and the salary or remuneration of all others in or connected with the Fire Department shall be determined by the said Committee.

Salaries.

13. That the annual expenses of the Fire Department, exclusive of the salary of the Chief Engineer, shall not exceed the sum of ten thousand dollars.

Expenses of the
fire department.

14. That the whole apparatus and management of the Fire Department shall be under the direction of the Chief Engineer, subject to instructions from the said Committee, but at every fire the Chief Engineer shall have sole control over all members of the Fire Department, and all persons engaged at any fire, and over all the engines and apparatus belonging thereto, and any person who shall refuse or neglect to obey any legal order of the said Chief Engineer shall be subject to the penalties of this By-law.

The management
of the fire department.

15. That the Chief Engineer or officer in charge of the Fire Department, at any fire, is hereby empowered to cause

Demolishing or
taking down
buildings at fires.

No. 473,
Fire Department

to be demolished or taken down, all buildings, erections or fences which he shall deem necessary to be taken down in order to arrest the progress of any fire.

The absence of
Chief Engineer.

16. That in the absence of the Chief Engineer, the Assistant Engineer, and in the case of his absence, the senior Foreman in the company shall have the powers and perform the duties of the Chief Engineer.

The streets to be
kept clear about
the locality of
fires.

17. That on all occasions of fire, the side of the street nearest the fire, and for a distance of fifty feet on each side of the fire, and for two-thirds the width of the street in front thereof, and also the centre of the street on both sides of the space above described; and also any lane or by-way between the public street and the rear of any premises on fire, through or along which it may be necessary to run any portion of the fire apparatus, shall be kept clear of all persons who may in any way obstruct the working of the Fire Department; and all and every person who shall be in any of the places above mentioned, shall immediately retire therefrom when called upon so to do by the Mayor or any of the Aldermen of the City, or by any of the Engineers or Foremen of the Fire Department, or by any of the City Police.

Hindering fire-
men in the dis-
charge of their
duties.

18. That no person or persons shall in any way impede or hinder any fireman or other person who shall be assisting in extinguishing a fire, or be in the performance of any other duties connected therewith.

Injuring the fire
apparatus.

19. That any person or persons wantonly or maliciously injuring any fire-engine, hose, or other apparatus belonging thereto or any bell or bell-rope, used for the firemen in giving alarm of fire; or who shall, without reasonable cause, by out-cry, ringing of bells or otherwise make or circulate, or cause to be made or circulated, any false alarm of fire; or who shall, after sun-set, without previously warning the Chief Engineer, make any bonfire or other large fire, in any field, yard, or open space, shall be subject to the penalties of this By-law.

Raising false
alarms.

Bonfires.

20. That any person or persons guilty of an infraction of any of the provisions of this By-law, shall upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace, for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars for each offence, together with the costs of prosecution; and in default of payment thereof forthwith, it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate and Justice or Justices, or any two or more of them, are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour, for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

No. 474.
Pounds and
Pound-keepers.
Penalty.

Distress in de-
fault of payment.

Commitment in
default of distress.

No. 474.

A By-law to provide for the appointment of Pound-keepers, and to regulate the Pounds in the City of Toronto.

PASSED 26TH OCTOBER, 1868.

WHEREAS it has been found necessary from time to time to appoint Pound-Keepers for the City of Toronto, and to regulate their duties, and to restrain and regulate the running at large of certain animals, and to provide for impounding the same; and further to provide for sufficient yards and enclosures for the safe keeping of

No. 474.
Pounds and
Pound-keepers.

such animals as it may be the duty of the pound-keeper to impound :

And whereas it is expedient to consolidate all the Acts and By-laws of the said City heretofore existing, that in any way relate to the subjects aforesaid, and to incorporate them into one By-law :

Therefore, the Municipal Council of the Corporation of the City of Toronto enacts as follows :

Repeal of By-laws Nos. 369, 384, 386 and 412.

1. That from and after the passing of this By-law the following By-laws of the City of Toronto shall be, and the same are, hereby repealed, that is to say, By-laws numbers three hundred and sixty-nine, three hundred and eighty-four, three hundred and eighty-six, and four hundred and twelve.

The City to be divided into three districts.

District No. 1.

District No. 2.

District No. 3.

2. That for the purposes of this By-law the City of Toronto shall be divided into three districts, numbered one, two, and three, respectively, whereof—District number one shall consist of all that part of the said City lying west of Brock Street, and extending from the Bay to the north part of the City limit: District number two shall consist of all that part of the said City lying between Brock Street on the west, and Church Street on the east, from the Bay to the north City limit: District number three shall consist of all that part of the said City lying to the east of Church Street, between the Bay and the north City limit.

Pounds to be established on Adelaide Street;

On the corner of Yonge and Isabella Streets;

On the Market Reserve.

When pounds not secure.

3. That there shall be three public pounds established in the City of Toronto, one in and for each of the said districts, that is to say: One on the plot of land owned by the City on the south side of Adelaide Street, in St. Andrew's Ward, for district number one: one on the corner of Yonge and Isabella Streets, in St. James's Ward for district number two: And one in St. Lawrence Ward, upon the market reserve, at the east end of the said ward, for district number three: Provided always that whenever the common pound of any district is not secure, the pound-keeper may confine any animal liable to be impounded in any enclosed space within the limits of such pound-keeper's district.

4. That the Municipal Council shall, from time to time, as the occasion shall require, appoint three responsible persons to serve in the office of pound-keeper, one for each of the pounds hereinbefore established, who shall hold their offices during the pleasure of the Council, and be generally under the supervision and direction of the City Board of Works.

No. 474.
Pounds and
Pound-keepers

Appointment of
pound-keepers.

5. That it shall not be lawful for any person or persons, after the passing of this By-law, to suffer his, her or their entire horse, bull, goat, or swine to run at large within the limits of the said City.

Entire horses,
&c., not to run at
large within the
limits of the City

6. That it shall not be lawful for any person or persons, after the passing of this By-law, to suffer his, her or their horses, cows, cattle, goats, sheep or geese, to run at large in that part of the City of Toronto, comprised within the following limits: Commencing on the shore of the Bay, at the junction of the western limit of Bathurst Street with the water's edge at the esplanade; thence northerly along the western limit of Bathurst Street to the northern limit of Queen Street, thence easterly along the said last mentioned limit to the western limit of Beverley Street; thence northerly along the said last mentioned limit to the southern limit of College Street; thence easterly along the said last mentioned limit and the southern limit of the College Avenue to Yonge Street; thence northerly along such last mentioned limit to the northern limit of Bloor Street; thence along such last mentioned limit to the eastern limit of Sherbourne Street; thence southerly along such last mentioned limit to the northern limit of Beech Street; thence easterly along the said last mentioned limit to the eastern limit of Parliament Street; thence southerly along the said last mentioned limit to the water's edge; thence westerly, following the water's edge at the Esplanade, to the western limit of Bathurst Street, the place of beginning.

Animals not to
run at large with-
in certain limits.

7. That any animal liable to be impounded under the provisions of this By-law, shall be impounded in the pound nearest to the place where it may be found running at large or trespassing.

Animals to be
impounded at the
nearest pound to
the place where
they are found.

No. 474.
Pounds and
Pound-keepers

Pound-keeper to
impound all ani-
mals found run-
ning at large and
trespassing on en-
closed land.

Amount to be
paid by the own-
ers of animals
impounded.

8. That it shall be lawful for any pound-keeper of the said City, duly appointed as aforesaid, and on delivery thereof to him for that purpose by any person, and he is hereby required to impound any of the animals mentioned in the fifth section of this By-law, if found running at large within the limits of the said City; and also to impound any of the animals mentioned in the sixth section of this By-law, if found running at large within the limits mentioned in the said sixth section; and also to impound all horses, cows, cattle, sheep, goats, swine or geese that shall trespass on the land of any person or persons (being enclosed by a lawful fence) within the said City, and to detain the same until the owner or owners thereof shall have paid over and above any claim for damages for the trespass and the charges, or over and above the penalty alone, where no trespass has been committed, the sums following: For every horse, or head of cattle, pig, sheep, or goat, fifty cents; and for every goose, five cents, which shall go to the pound-keeper as and for his fee for impounding the same.

Pound-keeper to
provide food,
water and shelter
for animals im-
pounded.

9. That whenever any animal which shall have been trespassing or running at large contrary to the provisions of this By-law, shall be impounded, it shall be the duty of the pound-keeper daily to furnish the animal with good and sufficient food, water and shelter, during the whole time that such animal continues impounded, and for so doing he shall be entitled to demand and receive the following allowance, over and above his fees as pound-keeper, namely: For every horse twenty-five cents per day; for every head of horned or other cattle, twenty cents per day; for every sheep, pig or goat, ten cents per day; and for every goose, three cents per day.

Amount to be
paid pound-keep-
ers for feed, &c.

Manner of re-
covering fees by
pound-keepers.

10. That the value or allowance as aforesaid, may be recovered, with costs, by summary proceeding before any Justice of the Peace for the said City of Toronto in like manner as fines, penalties or forfeitures for breach of any By-law of the said Municipality, may by law be recovered and enforced by a single Justice of the Peace.

Penalty where
pound-keeper
neglects to feed
animals.

11. That in case any pound-keeper who impounds or confines any such animal as aforesaid, refuses or neglects

to find, provide and supply the animal with good and sufficient food, water and shelter, he shall be subject to the penalties of this By-law.

No. 474.
Pounds and
Pound-keepers.

12. That the person distraining or impounding any animal, shall at the time, or within twenty-four hours thereafter, deliver to the pound-keeper duplicate statements in writing of his demand against the owner for damages (if any) not exceeding twenty dollars done by such animal, and shall at the same time give his written agreement under seal, (with a surety if required by the pound-keeper) in the form following, or in words to the same effect: I [*or We,*] do hereby agree that I [*or We*] will pay to the owner of the [*describe the animal,*] by me, A. B., this day impounded, all costs to which the said owner may be put, in case the distress by me, the said A. B., proves to be illegal, or in case the claim for damages now put in by me, the said A. B., fails to be established.

Persons impounding animals to give a statement of their damages against the owner, and their written agreement to pay the costs in case distress is illegal.

13. That in all cases the pound-keeper shall, within forty-eight hours, and not before twenty-four hours after the distress shall have been impounded, cause a notice thereof in writing to be affixed on each of the pound-gates, on the door of each police-station, and on some conspicuous part of the public weigh-house, which notices shall give a particular description of the distress, and shall specify when and where the same is to be sold, and if the owner of such distress, or some other person on his or her behalf, shall not within fifteen days after such notice shall have been affixed as aforesaid, redeem the same by paying the charges of the pound-keeper, and the penalty and damage imposed [*if any*] it shall be lawful for such pound-keeper to cause such distress to be sold, and after deducting his own charges to pay the damages, [*if any*] to the person entitled thereto, and the penalty to the Chamberlain of the said City for City purposes, and the overplus [*if any*] to the owner or owners of such distress, if known, if not known, to the Chamberlain, and if not claimed within three months after being received by the Chamberlain, the same shall be applied by him to City purposes.

Notice of distress and time and place of sale.

If owner does not redeem within fifteen days distress to be sold.

Application of the proceeds of sale.

No. 474.
Pounds and
Pound-keepers.

Proceedings
where the amount
of damage done
by animals tres-
passing is dispu-
ted.

14. That if the owner of any distress taken doing damage, or any person on his or her behalf, shall appear and dispute the amount of damage claimed, it shall and may be lawful for the pound-keeper to apply to the Mayor, or to any one of the Aldermen of the said City, who is hereby authorized and required forthwith to summon three disinterested inhabitant householders, and such three persons, or any two of them, shall, within twenty-four hours after notice of their appointment, as aforesaid, view the fence and the ground upon which the animal was found doing damage, and determine whether or not the fence was a lawful one according to the By-laws of the said City in that behalf at the time of trespass, and if it was a lawful fence, then they shall appraise the damage committed, and the determination of the majority of them shall be conclusive as to such damages, and they shall, within twenty-four hours after having made the view, give in writing to the pound-keeper a statement of the amount of damages so assessed by them, and of their lawful fees and charges.

Fence-viewer ne-
glecting his duty
to be fined.

15. That any such fence-viewer neglecting his duty as arbitrator as aforesaid, shall incur a penalty of two dollars, to be recovered for the use of the said City by summary proceeding before a Justice of the Peace upon the complaint of the party aggrieved, or of the Chamberlain of the said City.

When fence-
viewers decide
the fence not to
be a lawful one.

16. That if the fence-viewers decide that the fence was not a lawful one, they shall certify the same in writing under their hands, together with a statement of their lawful fees, to the pound keeper, who shall, upon payment of all lawful fees and charges, deliver the animal to the owner if claimed before the sale thereof; but if not claimed, or if such fees and charges be not paid to the pound-keeper, after due notice as required by this By-law, shall sell the animal in the manner before mentioned at the time and place appointed in the notices.

Penalties in addi-
tion to pound-
keeper's fees to
be paid by the
owners of ani-
mals found run-
ning at large.

17. That the owner of every animal mentioned in the fifth section of this By-law taken running at large in the limits of the said City, and of each and every animal mentioned in the sixth section taken running at large within

the limits mentioned in the said sixth section, shall pay the penalties over and above the charges of the pound-keeper, that is to say: for every stallion, five dollars; for every other horse, mare or gelding, fifty cents; for every bull, five dollars; for every cow or other head of cattle, or goat, fifty cents; for every pig, one dollar; for every sheep, twenty cents; for every goose, three cents, to be recovered before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the said City, either upon the confession of the party complained of, or upon proof on oath of one or more credible witnesses.

No. 474.
Pounds and
Pound-keepers.

18. That it shall be lawful for any one to drive any animal mentioned in the sixth section of this By-law if found running at large within the limits described in the said sixth section to the nearest pound, or any animal mentioned in the fifth section of this By-law, if found running at large within the limits of the said City, and it shall be the duty of the pound-keeper to impound the same until the penalty before mentioned be paid, over and above the pound-keeper's fees and charges as allowed by the eighth section of this By-law, and the pound-keeper shall proceed in the same manner with such distress, and pay over the penalty as decided by the thirteenth section of this By-law.

Any person may
drive animals
running at large
to the nearest
pound.

19. That the pound-keeper shall be allowed, over and above the fees mentioned in the eight and ninth sections of this By-law, the following fees, that is to say, for posting the requisite notice, as, by the thirteenth section of this By-law is provided, twenty-five cents; for attending for the summons and serving the same on the appraisers of damages, fifty cents; and for every sale of distress, twenty-five cents and no more.

Pound-keeper's
fees for proceed-
ings upon sale of
distress.

20. That it shall be the duty of the Chamberlain to furnish each pound-keeper with a book, in which he shall enter the number and description of every animal impounded by him, with the name of the person who took or sent the same to be impounded, the day and hour on which he received the same, the day and hour on which the same was redeemed, and the amount of damages or

Pound-keeper to
keep a record of
animals im-
pounded.

No. 474.
Pounds and
Pound-keepers.

To make a return
to the Board of
Works.

penalty and fees paid by the party redeeming the same, or the proceeds of the same sale [if any made], and shall, on or before the first day of every month in the year, make a return to the said City Board of Works, in writing, of the number and description of all distresses received by him during the past month preceding each return, with the names of the persons taking the same to the pound, the day received by him, the amount received, and when the same was redeemed, and any other information he may deem necessary, which return shall be verified upon oath, and shall be in the Form A, to this By-law annexed or as near as may be.

Pound-keeper,
when making his
monthly return,
to pay over to the
Chamberlain all
moneys.

21. That the pound-keeper shall, when making his monthly return, pay over to the Chamberlain all moneys received by him during the month, which are directed by this By-law to be paid to the Chamberlain; and shall at all times produce his book for the inspection of the said City Board of Works, or by any member of the Council, upon request made to him for the purpose.

Pound-keeper,
health officer and
constables to as-
certain the names
of owners of ani-
mals running at
large, and to lay
an information
against such
owners.

22. That it shall be the duty of the pound-keeper, the health officer, and every member of the police force, to ascertain the name or names of any owner or owners of any entire horse, bull, swine or goat found running at large within the limits of the said City, and to impound the same, and also any animal mentioned in the sixth section of this By-law, found running at large within the limits mentioned in the said sixth section, and on ascertaining the name or names of any such owner or owners, to lay an information before the Mayor, Police Magistrate, or any Justice of the Peace for the said City, against any such owner or owners, for permitting or allowing such entire horse, bull, goat or swine to run at large within the limits of the said City, or any animal mentioned in the said sixth section of this By-law, to run at large within the limits mentioned in the said sixth section, and it shall be the duty of the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the said City of Toronto, upon conviction, to impose a fine of not less than fifty cents, and not more than ten dollars, and costs, for each animal so allowed to be at large; one-half of which said fine shall be paid to the pound-keeper, and

Penalty to be
imposed.

the other half to the Chamberlain of the said City, and it shall not be necessary to impound any such animals, but the fine shall be recovered as provided for the recovery of fines against pound-keepers in the twenty-fourth section of this By-law.

No. 474.
Pounds and
Pound-keepers.

23. That every pound-keeper, before entering on the duties of his office, shall give a bond to the Corporation of the City of Toronto in the penal sum of one hundred and sixty dollars, together with two sufficient sureties, of eighty dollars each, upon condition that the said pound-keeper shall well and faithfully discharge the duties of his office, and shall regularly pay over all moneys which may come into his hands as such pound-keeper.

Pound-keepers to
give security to
the Corporation.

24. That any pound-keeper guilty of an infraction of any of the provisions of this By-law shall, upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars for each offence, together with the costs of prosecution, and in default of payment thereof forthwith it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate, and Justice or Justices, or any two or more of them, are acting together therein then under the hand and seal of one of them, to levy the said penalty, and costs, or costs, only, by distress and sale of the offender's or offenders' goods and chattels, and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour, for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid; and further, the said Mayor, Police Magistrate, Justice or Justices, convicting as aforesaid, shall have the power, if he or they see fit, to suspend such pound-keeper from his office until the pleasure of the Council shall be made known thereon.

Penalty to be
paid by pound-
keepers for the
infraction of this
By-law.

Distress in de-
fault of pay-
ment.

Commitment in
default of dis-
tress.

Pound-keepers
may be suspend-
ed.

No. 474.
Pounds and
Pound-keepers.

FORM "A."
(See Section 20.)
RETURN OF THE POUND-KEEPER.
For the Month of
For District No. *A.D. 18*

DAY RECEIVED BY THE POUND-KEEPER.	DESCRIP- TION OF DISTRESS.	FOR WHAT CAUSE IMPOUNDED.	BY WHOM BROUGHT TO THE POUND.	AMOUNT RECEIVED AS DAMAGE OR PENALTY.	AMOUNT RECEIVED FOR FEES.	PENALTY PAID TO THE CHAM- BERLAIN.	WHEN REDEEMED AND BY WHOM.	REMARKS.
June 10, 1868	1 Cow ...	Running at large	T. Jones ...	\$ c. 0 50	\$ c. 0 50	\$ c. 0 50	June 10, 1868, by S. Dor.	
June 17, 1868	1 Horse...	Trespassing	R. Rea.....	10 50	1 75	0 50	June 19, 1868, by T. Ball	
June 19, 1868	2 Hogs...	Running at large	J. Oates	1 00	0 50	0 50		

I, J. S., Pound-keeper for the
Sworn before me, at the City of Toronto, }
this day of A. D. 18
(Signed) A. B., J. P. }

Pound, make oath and say that the above Return is correct and true.

(Signed) J. S.,
Pound-keeper.

No. 475.
Measurement
and sale of Cord-
wood.

No. 475.

A By-law to provide for the Measurement and Sale of Cordwood.

PASSED 26TH OCTOBER, 1868.

WHEREAS it has been found necessary from time to time to make regulations for the sale and to provide for the measurement of Cordwood and other wood for fuel, sold or offered for sale in the City of Toronto :

And whereas it is expedient to consolidate all the Acts and By-laws of the said City heretofore existing that in any way relate to the subjects aforesaid, and to incorporate them into one By-law :

Therefore the Municipal Council of the Corporation of the City of Toronto enacts as follows :

1. That from and after the passing of this By-law the following By-laws and sections of By-laws of the City of Toronto shall be, and the same are hereby repealed, that is to say, By-laws numbers one hundred and forty-one, three hundred and eighty-three, and sections fifty-six, fifty-seven and fifty-eight of By-law number four hundred and eighteen.

Repeal of By-laws
Nos. 141, 383,
and sections 56,
57 & 58 of By-
law No. 418.

2. That there shall be appointed by the Council of the Corporation of the City of Toronto, one or more discreet and competent persons, to be called Inspectors of Wood, whose duty it shall be, upon the requisition of any inhabitant of the said City, to inspect all cordwood, or other wood for fuel delivered to such inhabitant by any party selling the same, and to certify the quality and quantity of such cordwood, or other wood for fuel, according to the provisions of this By-law : and also to inspect and certify the quantity and quality of all cordwood or other wood for fuel exposed or offered for sale within the said City.

Appointment
and duties of the
Inspector of
Wood.

No. 475.
Measurement
and sale of Cord-
wood.

Wood improperly
packed or
piled to be re-
packed or re-
piled.

Crooked wood
not to be packed
with cordwood.

No person to act
as Inspector of
wood unless ap-
pointed by the
Council.

Inspector's fees.

Security to be
given by Inspec-
tor.

Inspector not to
purchase wood,
except for his
family use.

Classification of
wood.

3. That it shall be the duty of such Inspector of Wood, when required by any purchaser of any cordwood, or other wood for fuel, to see that the wood is properly and closely packed or piled, and if necessary, he shall cause the seller to re-pack or re-pile the same.

4. That no crooked wood shall be packed or piled with cordwood, but the same shall be packed or piled separately, the Inspector making due allowance for such crooked wood.

5. That no person shall take upon himself the duties of an Inspector of Wood, unless he shall have been regularly appointed by the Council of the Corporation of the City of Toronto.

6. That the Inspector of Wood shall be authorized to demand and receive from the vendor the following fees for inspecting and certifying the quantity and quality of cordwood, or other wood for fuel, sold or delivered within the said City:—For each and every load or cord, when the quantity does not exceed ten cords, the sum of five cents per cord or load, and for any greater quantities three cents per cord or load; and should the seller refuse to re-pack or re-pile the same when required, the Inspector shall receive for re-packing or re-piling any quantity of cordwood, or other wood for fuel, sold or delivered within the said City, when the quantity does not exceed ten cords, the sum of ten cents per cord, and for any greater quantities eight cents per cord.

7. That before entering upon the duties of his office, the Inspector of Wood shall execute a bond to the Corporation of the City of Toronto, in the penal sum of two hundred dollars, with two sufficient sureties in one hundred dollars each, conditioned for the due and faithful discharge of the duties of such office.

8. That no Inspector of Wood shall purchase any cordwood, or other wood for fuel, which shall be brought to the said City for sale, except for the consumption of himself and family.

9. That all cordwood, or other wood for fuel, sold, delivered, or offered, or exposed for sale in the City of Toronto,

shall be classed' as follows, that is to say :—First Class—To consist of Beech, Hard Maple, Ironwood, Hickory and Black Birch. Second Class—To consist of Rock Elm, White Ash and Soft Maple. Third Class—To consist of Basswood, Swamp Elm, Red Oak and Black Ash. Fourth Class—To consist of Pine. Fifth Class—All refuse wood, consisting of Hemlock, Cedar and other woods not enumerated, with branches, chips, &c.

No. 475.
Measurement
and sale of Cord-
wood.

10. That each and every cord of cordwood exposed or offered for sale or delivered in the said City shall contain full one hundred and twenty-eight cubic feet.

Every cord of
wood 128 cubic
feet.

11. That all cordwood or other wood for fuel, brought into the City of Toronto on any waggon, cart, or other vehicle, (except railway carriages), to be sold or marketed thereout or therefrom, shall be exposed for sale only in the Wood Markets, as established by By-law number four hundred and eighty-three, entitled, "A By-law to regulate the Public Markets and Weighhouses," and in such places at the other Public Markets as may be pointed out by the Standing Committee on Public Markets, or the Inspector of Wood, and at no other place whatever within the said City: and all such waggons, carts and other vehicles, (except as aforesaid) shall be placed in the said Wood Market, and other places hereinbefore mentioned, in such order and position as the said Committee or the Inspector of Wood shall determine; and no person shall depart from the line or order in which he shall have been so placed before he has disposed of his load, unless to leave the market, and no such person shall loiter about the streets with his load.

Wood brought to
the City for sale
to be sold only at
the wood mar-
kets.

Order in which
waggons are to
stand.

12. That no person shall expose or offer for sale any cordwood or other wood for fuel by the load, in the Wood Market or any other public market or public place, or on any of the streets or lanes within the said City, until after he shall have had such load regularly inspected and marked by an Inspector of Wood, with a mark designating the quantity and quality of such wood; and every person shall, if required, exhibit to any person offering to purchase the said load, the mark of such Inspector; and any person

Wood not to be
exposed for sale
until it is inspec-
ted and marked

The Inspector's
mark to be exhi-
bited.

No. 475.
Measurement
and sale of Cord-
wood.

altering, falsifying or defacing such mark, or otherwise infringing these regulations, shall be subject to the penalties of this By-law.

Fees to be paid
to the Clerk of
the wood-market

13. That the Clerk of the said Wood Market, or the Lessee thereof, shall be entitled to demand and receive from each and every person selling, or exposing for sale cordwood or other wood for fuel within the said City, the following fees:—For every vehicle drawn by two horses, a fee of five cents, and for every vehicle drawn by one horse, a fee of three cents; and in case cordwood or other wood for fuel shall be brought to the city by any ship, vessel, or boat, or by railway carriages, to be sold therefrom or thereout, it shall be the duty of the owner, captain, conductor, or person in charge thereof, to report the same to the Clerk of the Wood Market, or the lessee thereof, who shall be entitled

Wood brought to
the City by boats
or by railway
carriages to be
sold therefrom.

Fees for the same

to demand, receive and take, for every such ship, vessel or boat capable of carrying ten cords of wood, thirty cents; for every such ship, vessel or boat capable of carrying twenty cords of wood, sixty cents; for every such ship, vessel or boat capable of carrying fifty cords of wood, one dollar and fifty cents; for every such ship, vessel or boat, capable of carrying seventy-five cords of wood, two dollars and twenty-five cents; for every such ship, vessel or boat, capable of carrying one hundred cords of wood, three dollars; for every such ship vessel or boat capable of carrying one hundred and fifty cords of wood, four dollars and fifty cents; and for every such ship, vessel or boat capable of carrying over one hundred and fifty cords of wood, six dollars; for every railway carriage as aforesaid a fee of forty-eight cents.

What shall be
considered wood
for sale.

14. That every load of wood hereafter brought to the Market, or Wood Markets, or to such places at the other Public Markets as may be pointed out by the Standing Committee on Public Markets, or the Inspector of Wood, and continued therein in any vehicle for the space of ten minutes, shall be deemed and taken *prima facie* to be cordwood or other wood for fuel for sale, and the said wood so brought and remaining as aforesaid, and the party bring-

ing the same, or in charge thereof, shall be subject to all the provisions of this By-law, as if the same wood was or had been offered for sale in the said Market, upon each occasion of its so remaining thereat.

No. 476.
Weights and
Measures.

15. That any person or persons guilty of an infraction Penalty. of any of the provisions of this By-law, shall upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars for each offence, together with the costs of prosecution; and in default of payment thereof forth- Distress in default of payment. with it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate, and Justice or Justices, or any two or more of them are acting together therein, then under the hand and seal of one of them to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient Commitment in default of distress. distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour, for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

No. 476.

A By-law to provide for the appointment of an Inspector of Weights and Measures, and to regulate Weights, Measures and Weighing Machines.

PASSED 26TH OCTOBER, 1868.

WHEREAS it has been found necessary, from time to time to appoint an Inspector to regulate Weights and

No. 476.
Weights and
Measures.

Measures according to the lawful standard, and to define his duties :

And whereas it has been found expedient to consolidate all the Acts and By-laws of the City of Toronto heretofore existing, that in any way relate to the subject aforesaid, and to incorporate them into one By-law :

Therefore the Municipal Council of the Corporation of the City of Toronto, enacts as follows :

Repeal of By-laws Nos. 234 and 376.

1. That from and after the passing of this By-law the following By-laws of the City of Toronto shall be and the same are hereby repealed, that is to say, By-laws numbers two hundred and eighty-four and three hundred and seventy-six.

Appointment of an Inspector of Weights and Measures.

2. That there shall be appointed annually an Inspector of Weights and Measures for the City of Toronto, who shall continue in office until removed by the said Council.

Inspector to give security and take the oath required by Statute.

3. That the said Inspector of Weights and Measures, before entering upon his office, shall give security by himself in the sum of four hundred dollars, and by two sureties, in the sum of two hundred dollars each, for the performance of his duties, and he shall also take the oath required of him by Statute.

Duties of the Inspector.

4. That the duties of the said Inspector shall be as follows :

To advise the Council when standard weights and measures are required.

(1) In case the Corporation of the said City has not duly obtained, or has not in its possession, standard weights and measures, or copies thereof, or in the event of the standard weights and measures belonging to the said City becoming injured or destroyed, immediately to advise the Municipal Council of the said City that the same may be procured or renewed without delay.

To procure a stamp or brand.

(2) To procure a stamp or brand with the initials thereon of the reigning Sovereign, for the purpose of marking, stamping or branding such weights and measures as may be produced to him for that purpose.

- (3) To carefully keep and preserve all standard weights and measures, stamps and brands, given to him in charge or for his use, as such Inspector of the said City. No. 476.
Weights and Measures.
- (4) At all reasonable times, to enter all places wherein weights and measures, steelyards, or weighing machines of any description, are used, and there examine, compare, and try the same with the copies of the standard weights and measures provided by law. To enter places where weights, &c., are used and examine the same.
- (5) To seize and destroy all weights and measures, steelyards and weighing machines of any description, upon examination of which it appears that any or either of them have not been stamped, or are light, incorrect, or are otherwise unjust. To destroy false weights.
- (6) To deliver to his successor in office, upon resignation or removal, all brands, stamps, standard weights, measures, books and effects belonging to the said Corporation in his possession as Inspector. To deliver to his successor the property of the City in his possession.
- (7) To keep a book in which shall be entered by him all weights and measures adjusted, stamped or branded, with the date of such entry, a description of the articles adjusted, stamped or branded, and the fee paid for the same. To keep a book of all weights stamped by him.
- (8) To obey all the provisions of chapter fifty-eight of the Consolidated Statutes of Upper Canada, entitled "An Act respecting Weights and Measures," and of chapter fifty-three of the Consolidated Statutes of Canada, entitled "An Act respecting certain Weights and Measures," and all other Acts of Parliament applicable to Inspectors of Weights and Measures and to the regulation of Weights and Measures, and be subject to the penalties therein mentioned. To obey the provisions of all acts of the Legislature.
- 9) To obey all orders and By-laws of the said Municipal Council pertaining to himself, or his office, which are not repugnant to law. To obey the By-laws and orders of the Council.

No. 476.
Weights and
Measures.

The Inspector
not to make, sell
or repair weights.

Penalty for per-
sons in possession
of false weights.

distress in de-
fault of payment

Commitment in
default of distress

Application of
penalty.

5. That the Inspector shall not make, sell, or repair weights or measures, nor shall he cause to be made, sold, or repaired, weights or measures on his premises.

6. That any person in whose possession is found any weights, measures, steelyards, or weighing machines of any description, which are used, and which, upon examination, is found that any or either of them have not been stamped, or are light, incorrect, or are otherwise unjust, or who, when thereto required, neglects or refuses to produce for examination by the said Inspector all weights, measures, steelyards, or weighing machines of any description in his possession, or who otherwise obstructs or hinders the said Inspector from examining the same, shall, upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of eight dollars for the first offence, and twenty dollars for every subsequent offence, together with the costs of prosecution, and in default of payment thereof forthwith it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant, under his hand and seal, or in case the said Mayor, Police Magistrate, and Justice or Justices or any two or more of them are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels, and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour, for any period not exceeding one calendar month, unless the said penalty and costs be sooner paid; and the said penalty, when recovered, shall belong to the Crown for the public uses of the Province, and shall be paid over to the said Inspector, and shall, by him, be accounted for in the same manner as other public moneys coming into his hands by virtue of his office.

No. 477.

A By-law to authorize the appointment of a General Inspector of Licenses and the issue of Licenses in certain cases.

PASSED 26TH OCTOBER, 1868.

WHEREAS it has been found necessary from time to time to pass By-laws for the appointment of an Inspector of Licenses, and to regulate the issue of licenses in certain cases :

And whereas it is expedient to consolidate all the Acts and By-laws of the City of Toronto heretofore existing, that in any way relate to the subjects aforesaid, and to incorporate them into one By-law :

Therefore the Municipal Council of the Corporation of the City of Toronto, enacts as follows :

REPEALING CLAUSE.

1. That from and after the passing of this By-law, the following By-laws of the City of Toronto shall be and the same are hereby repealed, that is to say, By-laws numbers two hundred and eight, four hundred and forty-three, and four hundred and fifty-eight.

Repeal of By-laws Nos. 208, 443 and 453.

THE GENERAL INSPECTOR OF LICENSES.

2. That there shall be an officer appointed, by the Municipal Council of the said City, to be called the General Inspector of Licenses for the City of Toronto.

Appointment of a General Inspector of Licenses.

3. That the General Inspector of Licenses shall, before entering upon the duties of his office, be required to furnish two good and sufficient sureties in the sum of five hundred dollars each, and to be bound himself in the sum of one thousand dollars, for the faithful performance of the duties of his office, and the due accounting for and paying over of all moneys which shall come into his hands, by virtue of his office, to the Chamberlain of the City of Toronto,

Inspector to give security.

No. 477.
Issue of Licenses.

Duties of the
Inspector.

To act as Secretary to the Committee on licenses.

To report to the Committee.

To receive and record applications for licenses.

To ascertain that the petitions for licenses are true.

To submit the applications for licenses, with his own report thereon to the Committee.

To inspect certain places.

To make other inquiries.

To keep a register of persons receiving a license.

4. That the following shall be the duties of the General Inspector of Licenses :

- (1) To act as Secretary to the Standing Committee on Licenses, and as such keep correct minutes of the transactions of the said Committee.
- (2) To report from time to time all his proceedings and transactions to the said Committee.
- (3) To receive all applications for licenses or for transfers of licenses to be issued under this By-law, and to record the same, with full particulars thereof, in a book to be kept for that purpose.
- (4) To ascertain that the petitions accompanying the applications for licenses are true in all particulars.
- (5) To submit at each meeting of the said Committee all applications for licenses or for transfers of licenses, together with the names of the proposed sureties when such is required, for the consideration and adoption of the Committee, with a report as to whether such applicants are duly qualified, and whether all the conditions of this By-law have been complied with.
- (6) To make an inspection of the premises sought to be licensed by Auctioneers, Keepers of Intelligence Offices, Victualling Houses, Bowling Alleys, or Billiard Tables, and to report to the said Committee whether such premises are suitable for such purposes.
- (7) To make all other inquiries relative to matters connected with the granting of licenses as may be requisite to secure a due observance of the law.
- (8) To keep a registry in books to be provided for that purpose of the name or names of the person or persons receiving a license, the object and purposes therefor, the date of the same, and the amount paid for such license.

- (9) To furnish two copies of such registries, to be made by him as aforesaid, one to be filed in the office of the Clerk of the Council, and the other in the office of the Chamberlain. No. 477.
Issue of Licenses.
To make copies of his registries.
- (10) To make out all bonds, licenses and transfers and copies of the same that may be required or taken out under the provisions of this By-law, and to sign all licenses and transfers that may be authorized by the said Committee. To make out bonds, &c., and sign the licenses.
- (11) To collect and receive all moneys and duties imposed under and by virtue of this By-law, for and upon the respective licenses and transfers, to be taken out in manner as herein provided. To collect and receive the fees.
- (12) To pay over all moneys to the said Chamberlain which may be from time to time received by him for such licenses as aforesaid, at least once in every week. To pay over moneys to the Chamberlain.
- (13) To ascertain from time to time, and as often as may be necessary, whether the persons licensed under this By-law continue to comply with its provisions, whether the premises licensed continue to be maintained in such a state as this By-law requires, and if the houses licensed are well and orderly kept. To ascertain whether persons licensed continue to comply with the provisions of this By-law.
- (14) To prosecute, in the name of the Corporation of the City of Toronto, all offences committed against any of the provisions of this By-law. To prosecute offences against this By-law.
- (15) To visit, at least four times in the year, every part of the City of Toronto, for the purpose of inspecting all houses and premises where Intelligence Offices, Victualling Houses, Bowling Alleys or Billiard Tables are kept, for the purpose of ascertaining whether any of the provisions of this By-law are in anywise infringed or evaded. To visit certain places four times in the year.
5. The General Inspector of Licenses, may at any time enter into any house licensed under this By-law, to inspect the said house, as well as all premises connected there- Inspector to have power to enter licensed houses.

No. 477.
Issue of Licenses.

with, and no person or persons shall in any way interfere with, interrupt, or molest the said Inspector in the discharge of his duty, as pointed out by this By-law.

AUCTIONEERS.

Auctioneers.

6. That upon and immediately after the passing of this By-law, and upon the first day of January in every ensuing year, there shall be taken out by every merchant or other person or persons selling, or putting up for sale goods, wares, merchandize or effects, by public auction or outcry, or to the highest or best bidder, within the said City of Toronto, a license therefor, for which license to use or exercise the said calling or business, the person or persons obtaining the same shall pay, at the time of taking out such license, the sum of forty dollars.

Fees.

Auctioneers to exhibit their names and business.

7. Every person or persons who shall exercise the calling or business of an auctioneer, shall exhibit in a conspicuous manner, at his or their auction room, his or their name and business as such auctioneer, and if several persons are exercising such calling or business in partnership, the name of the firm need only be exhibited as aforesaid.

HAWKERS, PEDLERS AND PETTY CHAPMEN.

Pedlers, &c., not permanent residents of the City, to be licensed.

8. That upon and immediately after the passing of this By-law, and upon the first day of January in every ensuing year, there shall be taken out by every Pedler, Hawker or Petty Chapman and other persons carrying on petty trades, who have not become permanent residents of the said City of Toronto, or who go from place to place, or to other men's houses, on foot or with any animal bearing or drawing any goods, wares, or merchandize for sale, or in or with any boat, vessel or other craft, or otherwise carrying goods, wares, or merchandize for sale within the said City, a license, for which said license the person or persons obtaining the same, shall pay, at the time of taking out such license, the following sums:—For every man travelling on foot, the sum of twenty dollars; for every horse, ass, or mule, or other beast bearing or drawing burthen, an additional sum of twelve dollars: For every man sailing with a decked vessel, trading and exposing

Fees.

for sale goods, wares and merchandise, for each boat or craft the sum of four dollars: Provided always, that nothing herein contained shall extend or be construed to extend to prohibit any person from selling any goods, wares, or merchandise which have been manufactured in the said City, nor to hinder any person or persons who are the real makers of any goods, wares or merchandise, manufactured in the said City, or his or their children, apprentices, agents or servants, from selling such goods, wares or merchandise, by retail, without having a license as aforesaid, nor any tinkers, coopers, glaziers, harness menders, or any other persons usually trading or mending kettles, tubs, household goods or harness, from going about and carrying with him, her or them, proper materials for mending the same: Provided also, that nothing herein contained shall be construed as prohibiting hucksters, or persons having stalls or stands in any market in the said City, from selling or exposing for sale, without having a license as aforesaid, any fish, fruit, victuals, or goods, wares, or merchandise, in such stall or stands, they complying with such rules and regulations as by the Municipal Council of the said City are, or may be from time to time established.

No. 477.
Issue of Licenses.

Proviso, not to extend to persons selling goods manufactured in the City.

Itinerant tinkers, coopers, &c.

Hucksters and persons having stalls in the market.

9. That it shall and may be lawful for the General Inspector of Licenses, and for any Justice of the Peace for the said City, Constable or other person lawfully authorized, to seize and detain any Auctioneer, Hawker, Pedler, Petty Chapman or other persons who shall be found trading as aforesaid without a license, contrary to the provisions of this By-law, or who shall neglect to produce his or their license after being required so to do by the General Inspector of Licenses, Justice of the Peace, Constable or other person lawfully authorized as aforesaid, and the said General Inspector of Licenses, Justice of the Peace, Constable, or other person lawfully authorized, are hereby required and authorized to convey the person or persons so seized and detained, before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the said City, who upon due proof that the person or persons have traded as aforesaid without a license, or refused to produce his or their license when demanded as aforesaid, shall cause the penalty imposed by this By-law to be paid or recovered in manner as hereinafter provided.

Auctioneers, Hawkers, &c., trading without a license, or refusing to produce their license to be arrested.

No. 477.
Issue of Licenses.

TRANSIENT TRADERS.

Transient traders
and persons
doing business
in the City for
uncertain periods
to be licensed.

10. That upon and immediately after the passing of this By-law, and upon the first day of January in every ensuing year, there shall be taken out by every transient trader and other persons, who occupy places of business in the said City of Toronto, for uncertain periods less than one year, and whose names have not been entered in the assessment rolls for the then current year, a license, for which said license the person or persons obtaining the same, shall pay, at the time of taking out such license, the sum of fifty dollars.

Fees.

THEATRES, EXHIBITIONS, AND SHOWS.

Theatres, exhi-
bitions shows,
&c. to be licensed.

11. That upon and immediately after the passing of this By-law, there shall be taken out by every person or persons opening a theatre or other place for the purpose of exhibiting any dramatic, theatrical, or musical performance, or any exhibition of wax-work, menageries, circus-riding, and other such like shows usually exhibited by showmen, or any other exhibition or other place of amusement, of whatever kind or nature, to be held or kept for hire or profit in the City of Toronto, a license, for which said license the person or persons obtaining the same, shall pay, at the time of taking out such license, a sum to be regulated by the said Standing Committee on Licenses, according to the following scale :

Fees.

Theatres and
places used for
musical perform-
ances.

(1) The proprietor or proprietors, or the lessee or lessees of the Royal Lyceum or Theatre, or other place that is used for any dramatic, theatrical, or musical performance, the annual sum of one hundred dollars.

Troops of actors
or musicians.

(2) Every troop or company of actors, musicians, or other dramatic or musical performers, not being residents of the City of Toronto, for each performance a sum of not less than ten, or more than fifty dollars.

Exhibition of
pictures, &c.

(3) Any person or persons, or company, not being residents of the City of Toronto, exhibiting pictures, or other works of art, or natural or artificial curiosities, panoramas, tableaux, or other exhibitions of a like nature, for each time of exhibiting the same, a sum of not less than five, or more than twenty dollars.

Panoramas.

- (4) The proprietors or managers of every circus or menagerie, where the price of admission shall be twenty cents or upwards, the sum of one hundred dollars per day : and for every side show, or other entertainment connected or associated with such circus or menagerie, a sum of not less than ten dollars per day. No. 477.
Issue of Licenses.
Circuses and menageries.
Side shows thereto.
- (5) Itinerant persons opening an exhibition of circus-riding, rope-dancing, tumbling, or such like feats, where the price of admission shall be under the sum of twenty cents ; and for every common show, exhibition of novelties, wonderful animals, or other shows usually exhibited by showmen, a sum of not less than twenty dollars. Itinerant showmen.
- (6) For every exhibition of legerdemain or jugglery, and every other place of amusement open by any person or persons not being residents of the said City, a sum of not less than five or more than fifty dollars : Provided always, that in no case shall any larger sum than one hundred dollars be received from any person or persons for the opening of any theatre, exhibition, show or other place for public amusement, as aforesaid. Legerdemain, &c
Fees not to exceed \$100.

12. That every person or persons desiring to take out a license to open any theatre, exhibition, show or other place for public amusement, as aforesaid, shall first present a petition to the Standing Committee on Licenses, praying to be allowed to take out such license, and setting forth in such petition the nature and description of the theatre, exhibition, show, or place of amusement he or they desire to open, and all such licenses when ordered to be issued shall specify the object and length of time for which the same shall have been respectively granted, and the amount payable therefor, and every person or persons obtaining a license, as aforesaid, shall keep good order in and about his theatre, exhibition, show, or other place of public amusement, and at his or their own expense shall keep a sufficient force of servants for that purpose. Application for licenses to be by petition.
Form of license.
Persons obtaining licenses for places of amusement to keep order therein.

13. That all licenses to open a theatre, exhibition, show or other place of public amusement, as aforesaid, shall Licenses for places of amusement to contain

No. 477.
Issue of Licenses.
a proviso against
gambling.

contain a proviso that no gaming, raffling, lottery or chance gift distribution of money or articles of value shall be connected therewith, or shall be allowed by the person or persons obtaining the licenses, or in anywise permitted or held out as an inducement to visitors; and any person or persons licensed as aforesaid, who shall be found guilty of any infringement of any of the By-laws of the City of Toronto, shall, in addition to the penalties imposed for the infraction thereof, absolutely forfeit his or their license for the remainder of the current term.

Liability of persons assisting at places of public amusement not licensed.

14. That any person or persons found aiding and assisting in any performance at a theatre, exhibition, show, or other place of public amusement as aforesaid, where a license shall not have been first obtained, as aforesaid, shall be liable to a penalty of fifty dollars, or to be imprisoned in the common jail of the said City of Toronto for any term not exceeding one month; and for levying the said penalty the goods and chattels belonging to or used in such theatre, exhibition, show, or other place of public amusement, whether owned by the offender or offenders or not, shall be liable to be distrained and sold.

Licenses not to be granted to permit shows at certain places.

15. That no license granted under this By-law shall be in force so as to permit any person or persons so licensed to have any of the performances, exhibitions or shows as aforesaid, on the days of the exhibition of the Agricultural Association of Upper Canada, or of any county, electoral division or township Agricultural Society, either on the grounds of such Society or within the distance of three hundred yards from such grounds.

INTELLIGENCE OFFICES.

Intelligence offices for servants to be licensed.

16. That upon and immediately after the passing of this By-law, and upon the first day of January in every ensuing year, there shall be taken out by every person or persons setting up or keeping an Intelligence Office within the said City of Toronto for the purpose of registering the names and residences of, and giving information to, or procuring servants for, employers in want of domestics or labourers, or for registering the names and residences of,

and giving information to, or procuring employment for domestics, servants and other labourers desiring employment, a license, for which said license the person or persons obtaining the same shall pay at the time of taking out such license the sum of one dollar.

No. 477.
Issue of Licenses.

Fees.

17. That every person or persons licensed to keep an Intelligence Office, shall keep their office open for business between the hours of nine o'clock in the morning and six o'clock in the evening, Sundays excepted.

Office hours.

18. That every person or persons licensed to keep an Intelligence Office shall keep a book, in which shall be entered at the time of application, the name and residence of any person who may apply for employment, and the name and residence of any person who may make application to be supplied with male or female domestics, servants, or other labourers, and also any and all sums of money which may be received from any person for any such services, and such book shall at all times be open to the inspection of the General Inspector of Licenses, and of the members of the said Standing Committee on Licenses.

Keepers of Intelligence Offices to keep a register.

19. That every person or persons licensed to keep an Intelligence Office shall be entitled to receive at the time of application the following fees and no more:—From every male applying for place or employment a sum not exceeding thirty cents; from every female applying for place or employment, a sum not exceeding twenty cents; from every person making application for a male domestic, servant or other labourer, a sum not exceeding thirty cents; from every person making application for a female domestic, servant or other labourer, a sum not exceeding twenty cents, for which said sums a receipt shall be given at the time of making application to the person so applying, and in the event of no place or employment being obtained as applied for, or no domestic, servant or other labourer being obtained as applied for, within one week from the date of the application, one-half the fees so paid shall be refunded, on the demand of the person producing the receipt.

Fees to be paid to keepers of Intelligence Offices.

A receipt for fees to be given.

When half the fees are to be returned.

No. 477.
Issue of Licenses.

Deceit or extortion by keepers of Intelligence Offices.

20. That every person or persons licensed to keep an Intelligence Office, as aforesaid, who shall directly or indirectly, or through any person or persons, make or use any improper device, deceit, false representation, false pretences, or any imposition whatsoever, for any improper purposes or for the purpose of obtaining a fee, money, or gratuity or other thing of value from any customer, person or persons, patron or patrons, or who shall be guilty of extortion, or of taking or demanding any article or thing or any fees except those authorized by this By-law, shall be subject to the penalties of this By-law, and upon conviction of the same shall forfeit his or their license.

VICTUALLING HOUSES.

Victualling houses to be licensed.

21. That upon and immediately after the passing of this By-law, and upon the first day of January in every ensuing year, there shall be taken out by every person or persons who, within the said City of Toronto, shall keep a victualling house, ordinary, or house where fruit, oysters, clams or victuals are sold to be eaten therein, or other place for the reception, refreshment or entertainment of the public, a license, for which said license the person or persons obtaining the same shall pay at the time of taking out such license the following sums:—For every license for the houses or ordinaries or other places as aforesaid, which have not obtained a certificate for a tavern license from the Commissioners of Police for the City of Toronto, the sum of ten dollars, and for every house, ordinary, or other place aforesaid, which has obtained a tavern license from the said Commissioners of Police the sum of five dollars.

Fees.

BOWLING ALLEYS.

Bowling alleys to be licensed.

22. That upon and immediately after the passing of this By-law, and upon the first day of January in every ensuing year, there shall be taken out by every person, or persons, setting up for hire or profit, directly or indirectly, any bowling alley or alleys within the City of Toronto, a license, for which said license the person or persons obtaining the same shall pay, at the time of taking out such license the sum of twenty dollars.

Fees.

BILLIARD TABLES.

No. 477.
Issue of Licenses.

23. That upon and immediately after the passing of this By-law, and upon the first day of January in every ensuing year, there shall be taken out by every person or persons within the City of Toronto, who for hire or gain, directly or indirectly, keep or have in their possession, or on their premises, any billiard table, or who keep or have a billiard table in a house or place of public entertainment or resort, whether the said billiard table is used or not, a license, for which said license the person or persons obtaining the same shall pay, at the time of taking out such license, the following sums:—For every license to keep one billiard table as hereinbefore mentioned, the sum of fifty dollars, and for every additional billiard table kept on the premises, as aforesaid, an additional sum of ten dollars.

Keepers of Billiard Tables to be licensed.

Fees.

MISCELLANEOUS REGULATIONS.

24. That every person or persons desiring to take out a license to keep an Intelligence Office, a Victualling House, a Bowling Alley or Alleys, or a Billiard Table or Tables within the City of Toronto, shall first present a petition to the said Standing Committee on Licenses, praying to be allowed to take out such license, and setting forth in such petition the number and situation of the house or premises where he is desirous of keeping the said Intelligence Office, Victualling House, Bowling Alley or Alleys, or Billiard Table or Tables, and no person or persons so licensed shall transfer such license, or shall occupy any other place, and carry on any of the callings or businesses as aforesaid, without having first obtained leave from the said Standing Committee on Licenses.

Licenses to be granted upon petition.

Transfer of Licenses.

25. That in all cases where such petitions from any person or persons desirous of obtaining a license to keep a Victualling House, Bowling Alley or Alleys, or Billiard Table or Tables, shall have been granted by the said Committee, the said petitioner or petitioners, before obtaining either of the said licenses from the General Inspector of Licenses, shall execute a bond to the Corporation of the City of Toronto with two good and sufficient sureties, to

Security to be given by certain persons.

No. 477.
Issue of Licenses.

be approved of by the said Committee, binding him or them in the sum of four hundred dollars and such sureties in two hundred dollars each, that he or they will so long as such license remains in force and unforfeited, keep good order and rule in his or their house, and not to suffer or allow any gambling or other disorderly practice therein, and will well and truly in all things observe, fulfil and keep any By-law in force at the time of execution thereof, or which may thereafter be passed by the Council of the Corporation aforesaid, or by the Commissioners of Police for the City of Toronto, in each, all and every the provisions thereof, so far as the same shall refer to the regulations of the house or houses, and object or purposes for which the said license shall have been obtained.

Conditions in
bond.

Licenses of Intel-
ligence offices,
&c., to be posted
up in the premi-
ses licensed.

26. That every person or persons obtaining a license to keep an Intelligence Office, Victualling House, a Bowling Alley or Alleys, or a Billiard Table or Tables, so soon as they shall have taken out such license, shall cause a copy of the same to be posted up in some conspicuous place in such Intelligence Office, Victualling House, Bowling Alley or Alleys so licensed, and in the room or rooms in which such Billiard Table or Tables are kept, and such copies of said license shall remain so posted up during the time the said premises are licensed.

Hours of closing
Victualling
houses, &c.

27. That every Victualling House or Bowling Alley and Billiard Room licensed under this By-law which shall be situate in any place of public entertainment or resort, or in any house or premises which have been licensed as a tavern, or shop for the sale of intoxicating liquors, by the Commissioners of Police for the said City of Toronto, shall be closed from and after the hour of seven o'clock on Saturday night, till the hour of six o'clock on Monday morning thereafter; and on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, from and after the hour of eleven o'clock at night, till the hour of five o'clock on the following morning.

Keepers of Vic-
tualling houses,
&c., not to per-

28. That no person licensed under this By-law to keep a Victualling House, Bowling Alley or Alleys, Billiard

Table or Tables, shall permit any disorderly person, or any one who keeps or resides in any house of ill-fame, or any prostitute to resort to or frequent his, her or their house, or premises; and shall not keep or suffer or permit to be kept in his, her or their house or premises, any Faro Table, Rouge et Noir Table, Roulette Table, or any other device or devices for gambling or gaming, or suffer or permit any tipping or gambling of any kind to be carried on therein or thereupon.

No. 477.
Issue of Licenses.

mit improper characters to frequent their premises.

Gambling.

29. That in case any person or persons who have taken out a license to keep a Victualling House, Bowling Alley or Alleys, or Billiard Table or Tables under this By-law is convicted of a breach of any of the provisions of the same, or shall be convicted of a breach of any of the provisions of the By-laws of the Commissioners of Police for the City of Toronto regarding Tavern and Shop Licenses in the said City, such person or persons upon such conviction as aforesaid, in addition to the penalty imposed for the infraction thereof, shall absolutely forfeit his, her, or their license for the remainder of the current year, and the General Inspector of Licenses shall duly notify the party whose license is so forfeited.

Licenses for Victualling houses, &c., may be forfeited.

NATURE AND PERIOD OF LICENSES.

30. That all licenses granted under this By-law, unless they are expressed to be granted for a shorter period, and unless the same shall become sooner forfeited, shall be for the year current at the time of the issuing thereof, and shall expire on the thirty-first day of December next succeeding the date of the same, and for any license issued between the first day of January, and the first day of April in any year, the amount to be paid for the same shall be equal to the charge for the full year; for any license issued subsequent to the first day of April and prior to the first day of July, the charge shall be equal to three-fourths of the full charge for one year; and for any license issued subsequent to the first day of July, the charge shall be equal to one-half the amount charged for the full year.

Licenses to expire on 31st of December in each year.

No. 477.
Issue of Licenses.

Licenses to be
made out in tri-
plicate.

To be exhibited
when demanded.

31. That every license issued under this By-law shall be made out in triplicate, and one copy shall be delivered to the person or persons licensed who shall produce the same whenever it may be demanded by the General Inspector of Licenses, or any Justice of the Peace, Constable, or other person duly authorized, and one copy shall be retained by the General Inspector of Licenses for the use of the Committee, and the third shall be deposited with the Chamberlain of the City.

Transfer of
Licenses.

32. That the said Standing Committee on Licenses, may in their discretion, direct or sanction the transfer of licenses from one person to another, upon the payment of two dollars to the General Inspector of Licenses, for the use of the City, the conditions and particulars of such transfer to be endorsed on the original license and the copies thereof.

SEPARATE ACCOUNT.

Chamberlain to
keep a separate
account of mo-
neys received
under this By-
law.

33. That the Chamberlain shall keep a separate account of all moneys received under this By-law, and the expenses connected with the enforcing of the same shall be charged against the said account, and the balance, if any, shall be annually transferred to the credit of the general revenue account: Provided always, that all accounts charged or paid, as aforesaid, shall be certified by the General Inspector of Licenses, and countersigned by the Chairman of the said Standing Committee on Licenses.

Accounts to be
certified.

PENALTY.

Penalty.

34. That any person or persons guilty of an infraction of any of the provisions of this By-law, shall, upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars for each offence, together with the costs of prosecution, and in default of payment thereof forthwith, it shall and may be lawful for the Mayor, Police Magistrate, or

Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate, Justice or Justices, or any two or more of them are acting together therein, then under the hand and seal of one of them, to levy the said penalty, and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty, and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting, as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour, for any period not exceeding six calendar months, (except as is provided by the fourteenth section of this By-law), unless the said penalty, and costs be sooner paid.

No. 478.
Vagrants.

Distress in default of payment.

Commitment in default of distress.

No. 478.

A By-law to restrain and punish Vagrants and other disorderly Persons.

PASSED 26TH OCTOBER, 1868.

WHEREAS by an Act passed in the session of the Parliament of the Province of Canada, held in the twenty-ninth and thirtieth years of the reign of Her Majesty Queen Victoria, chaptered fifty-one, power is given to the Municipal Council of every City to pass By-laws for the purpose of restraining and punishing the persons herein mentioned :

Therefore, the Municipal Council of the Corporation of the City of Toronto enacts as follows :

1. That from and after the passing of this By-law, By-law number one hundred and fourteen of the City of Toronto, shall be, and the same is, hereby repealed.

Repeal of By-law No. 114.

2. That no person or persons shall, within the City of Toronto, sell or give any intoxicating drink to any child, apprentice, or servant, without the consent of the parent,

Intoxicating drinks not to be given to certain persons.

No. 473.
Vagrants.

master, or legal protector of such child, apprentice, or servant.

Swearing and
bad language.

Indecency,

Indecent books
or plays.

3. That no person shall make use of any profane swearing, obscene, blasphemous, or grossly insulting language, or be guilty of any other immorality or indecency, in the streets, highways, or public places of the City of Toronto; nor shall any person or persons exhibit, sell, or offer to sell, any indecent or lewd book, paper, picture, plate, drawing, or other thing, nor exhibit or perform any indecent, immoral, or lewd play, within the said City.

Houses of ill-
fame.

4. That any person or persons who shall be found guilty of keeping or maintaining, or be an inmate or habitual frequenter of, or in any way connected with, or in any way contribute to, the support of any disorderly house, or house of ill-fame, or other place for the practice of prostitution, or knowingly own or be interested as proprietor, landlord, or otherwise, of any such house, shall be subject to the penalties of this By-law.

Drunkenness.

Vagrants and
mendicants.

5. That any person or persons found drunk or disorderly in any street, highway, or public place, within the City of Toronto, and all vagrants and mendicants within the said City, shall be subject to the penalties of this By-law.

Arrest of offend-
ers against this
By-law.

6. That if any vagrant, mendicant, drunken or disorderly person shall be found offending against the provisions of this By-law, it shall and may be lawful for any constable, or any other person whatsoever, without any warrant for that purpose, to apprehend such person so found, and carry and convey, or cause to be carried and conveyed such person when so apprehended before the Mayor, Police Magistrate, or any Justice of the Peace for the said City, or to the nearest police station, there to be kept until such person so apprehended can, with all convenient speed, be brought before the Mayor, Police Magistrate, or some Justice or Justices of the Peace for the said City.

Penalty.

7. That any person or persons guilty of an infraction of any of the provisions of this By-law, shall upon convic-

No. 479.
Measurement
of Lime.

Distress in de-
fault of payment.

Commitment in
default of distress

tion before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars, for each offence, together with the costs of prosecution, and in default of payment thereof forthwith, it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate and Justice or Justices, or any two or more of them are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

No. 479.

A By-law to regulate the mode of measuring
Lime in the City of Toronto.

PASSED 26TH OCTOBER, 1868.

WHEREAS it is expedient and necessary to adopt a standard and uniform measure whereby lime shall be hereafter sold in the City of Toronto:

Therefore the Municipal Council of the Corporation of the City of Toronto enacts as follows;

No. 479.
Measurement
of Lime.

Repeal of By-law No. 139.

Persons selling
lime to have a
measure stamped
by the Inspector
of Weights and
Measures.

Dimensions of
measure.

Penalty.

Distress in de-
fault of payment

Commitment in
default of distress

1. That from and after the passing of this By-law, By-law number one hundred and thirty-nine of the City of Toronto shall be, and the same is hereby repealed.

2. That every person or persons selling, exposing for sale, or delivering as sold, lime in the City of Toronto, shall provide themselves with a measure, duly stamped by the Inspector of Weights and Measures for the said City of Toronto, which said measure shall be constructed of the following dimensions: at the bottom, on the inside, the diameter thereof shall be one foot and six inches, and at the top, on the inside, the diameter thereof shall be one foot and ten inches, and which said measure shall contain two Winchester bushels, heaped measure; and all lime hereafter delivered in the said City shall be sold by, bargained for and measured with such a measure as aforesaid, unless expressly dispensed with at the time of sale or delivery thereof by both the buyer and seller.

3. That any person or persons guilty of an infraction of any of the provisions of this By-law, shall, upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars for each offence, together with the costs of prosecution; and in default of payment thereof forthwith it shall and may be lawful for the Mayor, Police Magistrate or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate and Justice or Justices, or any two or more of them, are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour, for any period not exceeding six calendar months unless the said penalty and costs be sooner paid.

No. 480.

No. 480.
Cabmen, Carters
and Porters, at
Steamboat Land-
ings.

A By-law to regulate the conduct of Cab-drivers, Carters and others, at Steamboat Landings.

PASSED 26TH OCTOBER, 1868.

WHEREAS it is expedient for the convenience and comfort of persons travelling, and the citizens generally, that a proper restraint should be placed upon cab-drivers, carters, hotel porters and other persons frequenting the wharves and steamboat landings on the arrival of steamboats and other vessels at the City of Toronto :

Therefore the Municipal Council of the Corporation of the City of Toronto enacts as follows :

1. That from and after the passing of this By-law, Repeal of By-law No. 217. By-law number two hundred and seventeen of the City of Toronto shall be, and the same is hereby repealed.

2. That it shall not be lawful for any cab-driver, carter, Cabmen, carters, and porters on the arrival of a steamboat not to approach nearer than fifteen feet to the gangways. hotel porter or other person usually following the business of collecting passengers, luggage or freight on the wharves or any of the steamboat landings, upon the arrival of any steamboat or other vessel at any wharf or landing place within the said City, to approach nearer than fifteen feet to the gangways or entrances to any such steamboat or vessel.

3. That any person or persons guilty of an infraction of Penalty. any of the provisions of this By-law, shall upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars for each offence, together with the costs of prosecution ; and in default of payment thereof forthwith, Distress in default of payment. it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant under

No. 481.
Watering Streets

Commitment in
default of dis-
tress.

his hand and seal, or in case the said Mayor, Police Magistrate and Justice or Justices, or any two or more of them, are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour, for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

No. 481.

A By-law to authorize a Special Assessment for the purpose of Watering the Streets.

PASSED 26TH OCTOBER, 1868.

WHEREAS by an Act passed in the session of the Parliament of the Province of Canada, held in the twenty-ninth and thirtieth years of the reign of her Majesty Queen Victoria, chaptered fifty-one, power is given to the Municipal Council of every City to pass By-laws for raising, upon the petition of at least two-thirds of the freeholders and householders resident in any street, square, alley or lane, representing in value one-half of the ratable property therein, such sums as may be necessary for watering such street, square, alley or lane by means of a special rate on the ratable property therein:

And whereas it is inexpedient and inconvenient to pass a separate By-law for each particular locality, the freeholders and householders of which may from time to time petition to be assessed for the purpose aforesaid:

Therefore the Municipal Council of the Corporation of the City of Toronto enacts as follows:

No. 481.
Watering Streets

1. That from and after the passing of this By-law, By-law number one hundred and twenty-nine of the City of Toronto shall be and the same is hereby repealed.

Repeal of By-law
No. 129.

2. That whenever a petition signed by at least two-thirds of the freeholders and householders resident in any street, or portion of street, clearly defined between cross streets, square, alley or lane, representing in value one-half of the ratable property therein, shall be presented to the Municipal Council of the City of Toronto, praying the said Municipal Council to assess the inhabitants of the said street, or portion of street, square, alley or lane, for the purpose of watering the same, it shall be the duty of the Clerk of the said Municipal Council to lay before the said Municipal Council at the regular meeting next following the presentation of such petition, a statement showing the assessed value of the property and the number of persons assessed on such street, portion of street, square, alley or lane, together with the amount represented by the petitioners, and the number of such petitioners.

Whenever the residents of a street petition to be assessed for watering the same,

the City Clerk is to lay the petition before the Council with a statement of the annual value of the property, &c.

3. That at such next regular meeting or any subsequent meeting of the said Municipal Council, the said Municipal Council may by resolution, in the form annexed to this By-law, resolve to levy a rate upon the ratable property of such street or portion of street, square, alley or lane, for the purpose aforesaid, which resolution shall, when adopted by the said Municipal Council, be read and construed as forming a part of this By-law, and thereupon it shall be the duty of the Board of Works of the said City, and the said Board of Works are hereby authorized and required to contract for the watering of such street or portion of street, square, alley or lane, and to direct the payment of the contractor out of the rate so resolved to be levied as aforesaid; expressly limiting the liability of the said City to the amount to be realized by the rate to be levied as aforesaid.

The Council may by resolution levy a rate,

and thereupon the Board of Works are to contract for watering the streets.

4. That the rate so resolved to be levied as aforesaid upon the ratable property of any street or portion of street,

The manner in which the rate shall be collected.

No. 482.
St. Lawrence
Hall.

square, alley or lane, shall be levied and collected from the freeholders and householders rated on such street or portion of street, square, alley or lane, in the same manner, and under the same powers, authorities and directions as any other assessment now is authorized to be levied and collected, and shall be paid into the hands of the Chamberlain of the City of Toronto, to be by him paid out, under the order of the said Board of Works, from time to time, for the purpose for which the same was levied and collected.

FORM.

(See Section 3.)

Resolved, In pursuance of the provisions of a By-law of the City of Toronto, numbered four hundred and eighty-one, and entitled "A By-law to authorize a special assessment for the purpose of watering the streets," and in compliance with the petition of certain freeholders and householders, resident in [*define locality as in petition*] that a special rate be levied on the ratable property of the said City, situate on [*define locality as in petition,*] for the purpose of watering the said [*define locality as in petition,*] the said rate to be estimated on the contract price for watering the same, and to be levied, collected, and applied in compliance with section number four of the said By-law.

No. 482.

A By-law to provide for the proper use and custody of the St. Lawrence Hall.

PASSED 26TH OCTOBER, 1868.

WHEREAS it is expedient to make provision for the use of the St. Lawrence Hall and rooms adjoining on all occasions whensoever the same may be required for private or public purposes :

Therefore the Municipal Council of the Corporation of the City of Toronto enacts as follows :

No. 432.
St. Lawrence
Hall.

1. That from and after the passing of this By-law, Repeal of By-law No. 166. By-law number one hundred and sixty-six of the City of Toronto shall be, and the same is hereby repealed.

2. That every person or persons obtaining permission to use the St. Lawrence Hall or rooms adjoining, shall deposit with the Chamberlain of the City of Toronto the sum of thirty dollars or upwards, at the discretion of the said Chamberlain, in security for the payment for the consumption of gas and other expenses attending such use of the said Hall or rooms, and to provide for the needful repairs of any damage which may accrue to the walls, windows, fixtures or furniture of the said Hall or rooms from such use as aforesaid ; whereupon, and not before, it shall be the duty of the said Chamberlain to direct the care-taker of the St. Lawrence Hall to give possession of the said Hall or rooms to the person or persons having permission to use the same. Amount to be deposited with the Chamberlain by persons requiring the use of the Hall. Possession of the Hall not to be given to any person until the money is deposited.

3. That the said care-taker shall keep the keys of the said Hall and rooms, and it shall be his duty upon receiving an order from the said Chamberlain, to deliver possession of the said Hall or rooms to the person or persons having permission to use the same, and to receive back possession of the said Hall or rooms so granted, taking care to observe and report as soon as possible to the said Chamberlain any injury or damage done to the said Hall or rooms, or any of the furniture thereof, while in the possession of the person or persons having permission to use the same. Duty of the care-taker.

4. That upon receiving the care-taker's report as aforesaid, the said Chamberlain shall make out an account of Charges for the use of the Hall or rooms. the charges for the use of the said Hall or rooms at the following rates :

- (1) For the Hall only, when used for meetings, concerts, or other purposes, including gas, for every day or evening the same is used, the sum of ten dollars. For the use of the Hall only.

No. 432.
St. Lawrence
Hall.

For the use of
the Hall and
adjoining rooms.

- (2) For the Hall and rooms adjoining, when used for balls, assemblies, or other purposes, including gas, for every day or evening the same is used, the sum of twenty dollars.

For the use of
one room.

- (3) For the room on the lower flat of the St. Lawrence Hall, or any room not being the said Hall, when used for any purpose, including gas, for every day or evening the same is used, the sum of five dollars.

Fees of care-
taker and his
attendance.

Public meetings.

Injuring the Hall
or rooms.

5. That the said care-taker shall be entitled to a fee of one dollar from the person or persons having permission to use the said Hall or any of the rooms, and it shall be his duty to be in attendance until the hour of eleven o'clock in the evening; Provided always, that in case the use of the said Hall or any of the rooms is granted for the purpose of holding a public meeting of the citizens of Toronto, not for the purpose of amusement or festivity, no fee shall be charged for the use of the said Hall or any of the rooms, or for the use of gas, or for the attendance of the care-taker; but it shall nevertheless be the duty of the care-taker to be present at such public meetings, and to take care that no injury or damage is done to the said Hall or rooms or the furniture thereof, and should he be unable to prevent any injury or damage being done to the said Hall or rooms, or the furniture thereof, it shall be his duty to cause the offender or offenders so committing injury or damage as aforesaid to be dealt with according to law.

Extra expenses
and expenses for
repairs to be re-
tained out of the
moneys depo-
sited.

6. That all other expenses, whether for firing, attendance, or to make necessary repairs in consequence of injury or damage done to the said Hall or any of the rooms, or the furniture thereof, while in the occupation of the person or persons having permission to use the same, or in case it shall be considered necessary to cause the said Hall or any of the rooms to be cleansed after such occupation, shall be charged by the said Chamberlain to the person or persons having permission to use the same, and retained out of the money so deposited as aforesaid.

No. 483.

A By-law to regulate the Public Markets and Weigh Houses.

PASSED 26TH OCTOBER, 1868.

WHEREAS it is expedient to amend and consolidate all the Acts and By-laws of the City of Toronto relating to Markets and Weigh Houses within the said City, and to incorporate them into one By-law :

Therefore the Municipal Council of the Corporation of the City of Toronto, enacts as follows :

1. That from and after the passing of this By-law the following By-laws and parts of By-laws of the City of Toronto, shall be and the same are hereby repealed, that is to say :—By-laws Numbers three hundred and thirteen, three hundred and thirty-nine, three hundred and sixty-one, three hundred and eighty, section eight of By-law number three hundred and eighty-three, By-laws numbers three hundred and ninety-eight and four hundred and sixty-one : Provided always, that nothing in this section contained shall be taken to revive any By-law, or parts of By-laws repealed by the said By-laws or parts of By-laws in this section before mentioned.

Repeal of former By-laws.

Repeal of By-laws not to revive any former By-laws.

2. That the Public Markets of the City of Toronto shall be named and designated as follows :

The public markets of the City.

- (1.) The Upper St. Lawrence Market.
- (2.) The Grain, Flour and Meal Market.
- (3.) The Hay and Straw Market.
- (4.) The Wood and Lumber Market.
- (5.) The St. Patrick's Market.
- (6.) The Lower St. Lawrence Market,
- (7.) The Fish Market.

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Public Markets.

(8.) The Western (or St. Andrew's) Market.

(9.) The Cattle Market.

Free Markets or
Fairs.

(10.) The place or places where the periodical Free Markets or Fairs, under By-law number two hundred and eighty-five, is or are held, so long as such Free Market or Fairs shall last ; Provided always, if any Free Market or Fair is held in the Exhibition Park, the same shall be held subject to the provisions of By-law number two hundred and seventy-seven, which provides for the management and maintenance of the Exhibition Park.

LIMITS OF THE SEVERAL PUBLIC MARKETS.

3. That the following shall be the limits of the several Public Markets of the City of Toronto :

Limits of the
Upper St. Lawrence
Market.

(1.) The Upper St. Lawrence Market :— Commencing at the north-east corner of the St. Lawrence Building ; thence easterly along a line parallel to the south side of King Street, to a point distant twelve feet westerly from the east side of Nelson Street ; thence southerly along a line drawn parallel to the east side of Nelson Street, to intersect the line of the southern limit of St. Lawrence Arcade produced eastward ; thence westerly along the line of the southerly limit of the St. Lawrence Arcade, to a point distant twelve feet easterly from the western limit of West Market Street ; thence northerly along a line drawn parallel to the west side of West Market Street to intersect the line of the northern front of the St. Lawrence Buildings, produced westerly ; thence easterly along a line parallel to King Street to the north-west corner of the St. Lawrence Buildings ; thence southerly, easterly and northerly, following the line of the main St. Lawrence Buildings to the place of beginning.

Limits of the
Grain, Flour and
Meal Market.

(2.) The Grain, Flour and Meal Market :— Commencing at the south-east angle of the Upper St. Lawrence

Market; thence westerly along the southern boundary of the said market to its south-west angle; thence southerly along a line drawn parallel to the west side of West Market Street, until it intersects a line drawn parallel to and distant thirty feet north of the north front of the City Hall; thence easterly along the said line parallel to the City Hall, until it intersects the eastern limit of the Upper St. Lawrence Market, produced southwards; thence northerly along the said easterly limit of the Upper St. Lawrence Market produced to the place of beginning; saving and excepting that portion of the said premises allotted for the sale of meat by the quarter, as by the sixth section of this By-law is provided.

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Public Markets.

- (3.) The Hay and Straw Market :—Commencing at a point in the eastern boundary of the Upper St. Lawrence Market twelve feet south of the north line of Palace Street; thence easterly along a line parallel to the north side of Palace Street to the west side of George Street; thence southerly along the west side of George Street to a point twelve feet north of the south side of Palace Street, otherwise Hay Market Square; thence westerly along a line parallel to the said south side of Palace Street, otherwise Hay Market Square, until it intersects the western boundary of the Upper St. Lawrence Market, produced southerly; thence northerly in a direct line to the place of beginning.
- (4.) The Wood and Lumber Market :—Commencing at the west side of the premises at present owned by A. M. Smith Esq., on the south side of Front Street; thence westerly to Church Street, on the south side of Front Street; and from Front Street to Esplanade Street, on both sides of Church Street: and further, commencing at the corner of Albert Street and Yonge Street, and running along the south side of Albert Street to James Street, and on the east side of James Street from Queen Street to Louisa Street.

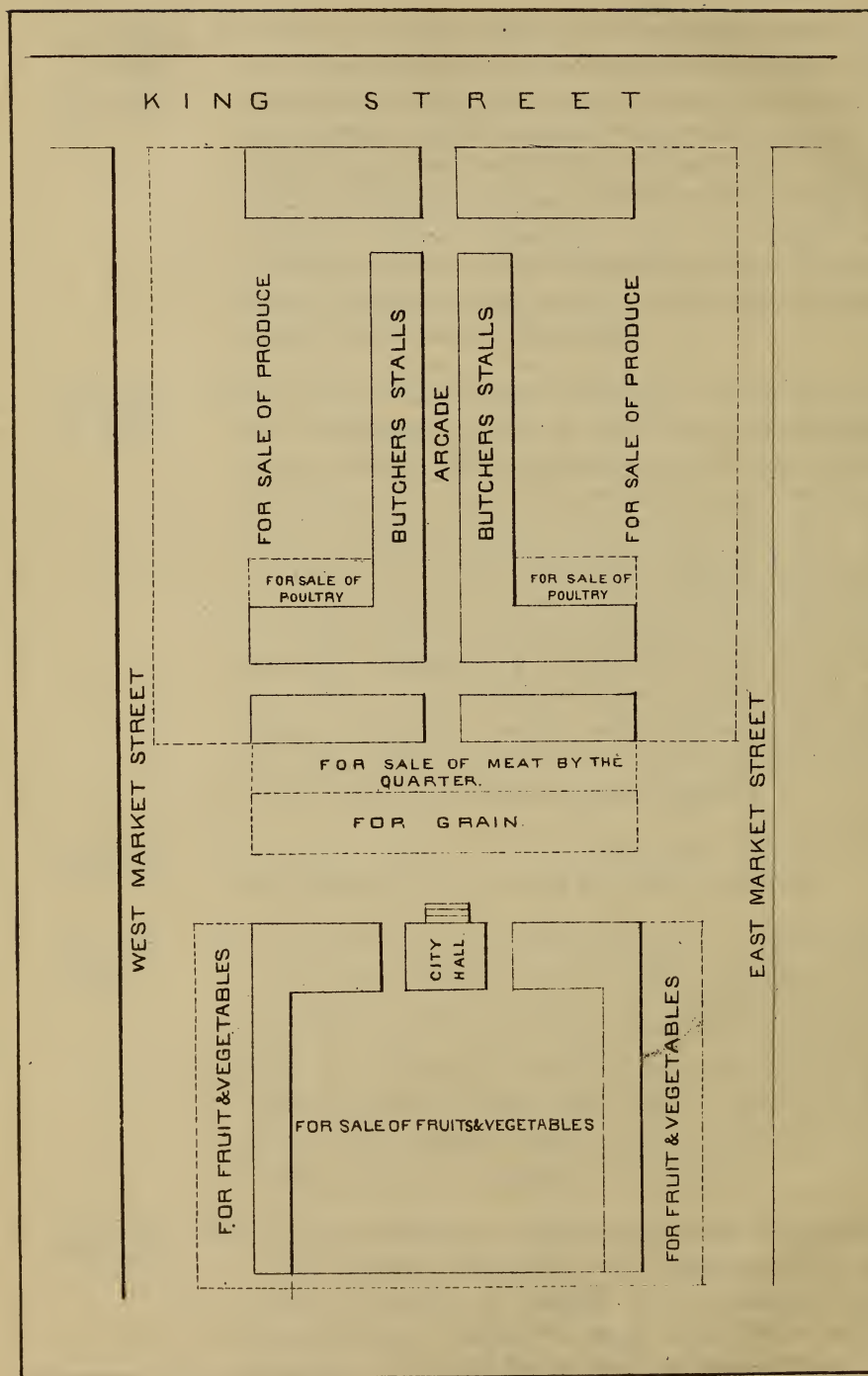
Limits of the
Hay and Straw
Market.

Limits of the
Wood and Lum-
ber Market.

Diagram A.
The S.^t Lawrence Market

See By-law N^o 483

N^o 7.



four feet; thence westerly along a line parallel to the Esplanade to the east side of West Market Street; thence southerly along the east side of West Market Street to the northern boundary of the Esplanade; thence easterly along the northern boundary of the Esplanade to the place of beginning.

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Public Markets.

Provided always, that any part of the Upper St. Lawrence Market, the Grain, Flour and Meal Market, the Hay and Straw Market, the Wood Market, and the St. Patrick's Market, or any other public market, which may be in or upon any of the streets or lanes of the said City, shall at all times be subsidiary to the use of the same as lanes, streets or thoroughfares respectively, and so as not wholly or seriously to obstruct the travel thereon.

The Markets upon streets not to obstruct travel thereon.

SPECIAL PROVISIONS RESPECTING THE UPPER AND LOWER ST. LAWRENCE MARKETS.

4. That the Arcade and the shops and stalls therein, in the Upper St. Lawrence Market, shall be used for butcher shops or stalls, for the sale of butter, cheese and eggs, and for no other purpose or business without the special license, in writing, of the Standing Committee on Public Markets, signed by the Chairman thereof.

The use of the Arcade in the St. Lawrence market.

5. That those portions of the Upper St. Lawrence Market on East and West Market Streets, authorized to be used as part of the market, up to the building at present used for butchers' shops and stalls, and more particularly set out and designated by the diagram "A" to this By-law annexed, shall be used for the sale of produce and provisions brought into the City, and for no other purpose whatever, save and except the space of thirty feet set out in the diagram aforesaid, along the north side of the southern transept of the St. Lawrence Arcade, on both sides of the arcade, which shall be, and is hereby set apart, and shall be used for the sale of poultry, and for no other purpose whatever: Provided always that produce brought into the City to be sold in the said Upper St. Lawrence Market, shall not be sold except by the barrel, bag, or in quantities less than two bushels.

Place for selling produce and provisions.

Poultry

Manner of selling produce.

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Public Markets

Place for selling
meat by the
quarter.

6. That all persons attending the St. Lawrence Market with waggons, carts, or other vehicles, having therein fresh meat for sale by the quarter, shall offer and expose the same for sale in front of the south side of the southern transept of the St. Lawrence Arcade, more particularly set out and designated by the diagram aforesaid, and at no other place whatever.

Place for selling
fruit and vege-
tables.

7. That the Lower St. Lawrence Market, and those portions of East and West Market Streets, within the limits of the said market, hereby authorized to be used as part of the said market, and more particularly set out and designated by the diagram aforesaid shall be, and are hereby set apart, and shall be used entirely for the sale of vegetables and fruit of all descriptions by retail, and for no other purpose whatever.

Farmers, &c.,
having stalls in
the Lower St.
Lawrence mar-
ket may sell in
the Upper St.
Lawrence mar-
ket.

8. That farmers, gardeners and hucksters occupying a stall or stalls in the Lower St. Lawrence Market, may sell in the Upper St. Lawrence Market by wholesale, namely, by the barrel or bag, or in any quantities not less than two bushels.

Horses, cattle,
&c., to be ex-
cluded from the
Upper St. Law-
rence market.

9. That horses, cattle, calves, sheep and swine shall be excluded from the Upper St. Lawrence Market, except calves, sheep and swine which may be in farmers' waggons, properly secured from being or running at large.

GENERAL MARKET REGULATIONS.

Market hours.

10. That the gates of the market shall be opened every morning (Sundays excepted) at five o'clock, between the first day of May and the first day of November, and at seven o'clock in the morning during the rest of the year; and be shut at seven o'clock in the evening, between the first day of May and the first day of November, and at five o'clock in the evening during the rest of the year; except on Saturdays, when the market shall be kept open until ten o'clock at night: Provided always, that butchers may open their stalls and supply any steamboat or other vessel coming into the harbour after market hours.

Butchers may
supply vessels
after market
hours.

11. That every person selling meat or articles of provisions by retail, whether by weight, count or measure, in the said City, shall provide himself with scales, weights and measures, regularly stamped, marked, and duly adjusted by the Inspector of Weights and Measures for the said City : but no spring balance, spring scale or spring weighing machine, shall be used, or allowed to be used, for any market purpose.

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Public Markets.

Persons selling meat, &c., to have stamped scales, &c.

Spring scales not to be used.

12. That every person who sells or attempts to sell, any articles of provision in any market, or elsewhere within the limits of the said City, which are usually bought by the Dry or Winchester Measure, by the small Wine Measure, or who sells or attempts to sell any article of provision usually sold by weight, count or measure, by any false or deficient weight, count or measure, shall in addition to the penalty imposed for the infraction of this By-law, be liable to have the said articles of provision seized by the Weighmaster, and shall not by reason of such seizure have any claim or damage whatever therefor.

Persons selling or attempting to sell by false weights,

to have their articles of provisions seized.

13. That every person frequenting the markets with articles of provision or produce for sale, shall place his waggon, sleigh, or other vehicle, in such order as the Market Inspector directs ; and no person shall be allowed to have any waggon or other vehicle in the markets, except in such place as may be directed by the said Market Inspector, nor shall any butcher or other person place or tie, or allow to be placed or tied, upon any pathway or road surrounding the market any calf, sheep, swine, or other animal.

Waggons or vehicles at the market.

Animals not to be placed upon the pathway or roads.

14. That none of the markets, or streets, or lanes, within the boundaries of the markets, shall be used for any business or purpose whatsoever, other than those for which the same are respectively authorized.

Markets to be used only for the purposes for which they are authorized.

15. That no person shall bring into or leave in any of the public markets of the city, any waggon, cart, or other vehicle, nor shall stand thereon to sell any article, not being farmers' produce or vegetables, or not expressly specified in

Persons not to sell articles in the market not specified by this By-law.

No. 483.
Public Markets.

this By-law as allowed to be sold therein, nor shall any person sell any article in any of the public markets in a manner contrary to the provisions of this By-law.

Persons selling goods, &c., contrary to the provisions of this By-law to be removed.

16. That in case any person sells or exposes for sale any goods, provisions or other articles contrary to the provisions of this By-law, the person so offending shall, after being warned by the Inspector of Markets or other person duly authorized, be summarily removed, together with his goods, provisions, or other articles, out of the public markets or boundaries aforesaid; and any person or persons hindering, obstructing, or molesting the said Inspector of Markets, or other person as aforesaid in the performance of his duties, shall be subject to the penalties of this By-law.

Persons hindering market officers in the performance of their duties.

Persons not to drive faster than a walk.

17. That no person shall drive through any of the public markets faster than a walk.

Horses to be taken out of the waggons.

18. That horses, oxen, or other animals, drawing waggons, sleighs or other vehicles into any of the public markets (except the Hay Market) shall be immediately taken out of the same until they are again wanted to draw off the said waggons, sleighs, or other vehicles.

GENERAL REGULATIONS AS TO BUTCHERS.

Butchers and others to be subject to the regulations of this By-law.

19. That all butchers and other persons who resort to and use the public markets now or hereafter to be established within the said City, for the purpose of carrying on their trade as such butchers, or selling or disposing of articles in such markets, and all persons opening butchers' shops, or cutting up or exposing for sale any fresh meat in the said City, shall be subject to the provisions of this By-law.

Butchers selling meat out of the markets.

20. That no butcher or other person shall cut up or expose for sale any fresh meat in any part of the said City, except in the shops or stalls in the public markets, or at such places as the Standing Committee on Public Markets may appoint, nor unless he has obtained a license to do so from the General Inspector of Licenses.

21. That every person receiving a license to open a butcher's shop for the sale of meat, or to occupy as a butcher any of the stalls for the sale of fresh meat in any of the markets established or hereafter to be established in the said City, shall keep his or her shop or stall in a clean and proper state, and shall not suffer any offals, hides or tallow to remain on or near the premises, after eight o'clock in the morning, from the first day of May to the first day of September in each year, or after nine o'clock in the morning during the rest of the year.

No. 483.
Public Markets.
Butchers to keep
their shops and
stalls clean.

22. That no butcher's shop, or any shop or place for the cutting up or exposing for sale fresh meat in the said City, shall be opened, kept or used, which is not in a proper public market, or which is less than six hundred yards from any public market building wherein meat is permitted to be sold.

Butchers' shops
not to be within
600-yards of a
public meat
market.

23. That no person having any shop, stall or standing, in any of the markets of the City, shall underlet the said shop, stall or standing, or shall place nor leave any one in the same, under pretence of taking charge thereof, without having first obtained leave in writing from the said Standing Committee on Public Markets.

Underletting
market stalls.

24. That no person shall place, or cause or permit to be placed, in the St. Lawrence arcade, or in any other of the passages or open spaces within the boundaries of any public market, any bench, table or chair, or any other article or substance whatever, which may be calculated to obstruct the free use of the whole of the said St. Lawrence arcade, or other passages or open space, without having first obtained leave in writing from the said Standing Committee on Public Markets.

Obstructing pas-
sages in the mar-
kets.

FARMERS AND HUCKSTERS.

25. That every farmer from the country may, after the hour of nine o'clock in the forenoon, but not before, and after he has paid the proper market fee at any of the public markets, sell fresh meat, the produce of his own

Sale of meat by
farmers.

No. 483.
Public Markets.

farm, in any part of the City, by the quarter or by any greater quantity, without a license.

Farmers before
selling provi-
sions to pay the
market fees.

26. That no farmer or other person shall dispose of any article of provision usually sold in the market, upon any of the public streets of the City, unless he has first been to one of the regular markets, and paid the proper market fee.

Forestalling.

27. That no huckster or dealer, his, her or their servant or agent, or any person on his, her or their behalf, shall, directly or indirectly, purchase or cause to be purchased from any farmer or other person, any meat or other article of provision offered for sale in the said City, before the hour of nine o'clock in the forenoon, from the first day of May to the first day of November; or before the hour of ten o'clock in the forenoon from the first day of November to the first day of May, for the purpose of selling the same again; nor shall any huckster or dealer, his, her or their servant or agent, or any other person on his, her or their behalf, act as the servant or agent of any other individual, in the purchase of any meat or other article of provision offered for sale in the said City, before the hour aforesaid.

Hucksters, &c.,
to have places
assigned them
in the markets.

28. That hucksters, dealers, and all persons frequenting the public markets with vegetables or fruits of farm or garden produce, shall have places assigned them by the Inspector of Markets, under the direction of the Chairman of the Standing Committee on public markets, and all hucksters, dealers and other persons frequenting the markets with vegetables or fruits of farm or garden produce, refusing to remain in the places assigned to them shall be liable to the penalties herein mentioned.

COMMITTEE ON PUBLIC MARKETS.

Inspection of
meats and pro-
visions.

29. That the said Standing Committee on Public Markets, or any member of the same may inspect all meats or other articles of provisions that may be exposed for sale in the markets, and under the direction of the Mayor, or

in their own discretion, seize and destroy such as may be blown, tainted, or otherwise unfit to be used.

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Public Markets.

30. That the said Committee shall have the control over all the officers of the City employed in the public markets.

31. That the said Committee shall have power to make any regulations as to the markets, or the lessees or occupants of the same, as to the officers of the City employed there, and as to all persons attending or frequenting the same.

Committee on
markets may
make regula-
tions as to the
markets.

LICENSES.

32. That the General Inspector of Licenses shall be entitled to demand and receive the sum of five shillings from each person to whom a license for the sale of fresh meat in any of the stalls of the public markets is granted; and the sum of four dollars from all parties not occupying a stall in one of the public markets.

Fees for licenses
for the sale of
meat.

33. That all licenses in the preceding section of this By-law mentioned, shall expire on the thirty-first day of December next after the date of the same.

Duration of
licenses.

MARKET FEES.

34. That the clerk of each of the public markets, or in case the market fees should be leased, the lessee of the same shall be entitled to demand and receive the following fees: from the owner of each sleigh, waggon or other vehicle in which there shall be any fresh meat, produce or other article of provision, lumber, shingles or laths, brought into any of the public markets for sale within the said City, the sum of thirteen cents; from the owner of any article of provision brought by hand or in a basket, the sum of five cents; and from the owners of all animals driven to the cattle market for sale, for every head of horned cattle the sum of ten cents; for every sheep, calf or swine, the sum of two cents; for every horse, mare or gelding the sum of twenty-five cents.

Fees for the
sale of articles
brought to the
markets in wag-
gons.

Lumber, shingles
or laths.

Provisions
brought by hand
or in a basket.

Animals brought
to the cattle
market.

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Power of lessees
to collect market
fees.

35. That the lessees of the different market fees, shall have full power to collect all rents and fees belonging to them respectively, and to dispossess or remove any party refusing to pay the same, under the authority of the Mayor, Police Magistrate, or any Justice of the Peace for the City of Toronto.

GRAIN, FLOUR AND MEAL MARKET.

Places for selling
grain in the City.

36. That the square between the upper and lower portions of the St. Lawrence Market, as by sub-section two of section four of this By-law is defined, shall be the only place in the said City for selling wheat, barley or other grain, flour or meal, except by the *bona fide* occupants and ratepayers of shops and houses in the said City.

Weighing grain
and produce.

37. That every buyer and seller of grain, flour, meal, meat or other produce, which is usually bought and sold by weight, may require the same to be weighed at one of the public weigh-scales or weighing-machines of the said City.

HAY AND STRAW MARKET.

Hay and straw
to be sold at the
market or such
places as the
Committee on
Markets may
direct.

Order in which
vehicles shall
stand at the
markets.

38. That all hay and straw brought into the City of Toronto, in any waggon, cart, or other vehicle, except railway carriages, to be sold and marketed thereout or therefrom shall be exposed for sale in the hay and straw market, as established by sub-section three of section four of this By-law, and in such places at the other public markets as may be determined upon by the said Standing Committee on public markets, and at no other place within the said City; and all such waggons, carts, and other vehicles (except as aforesaid,) shall be placed in the said Hay Market and other places as hereinbefore provided, and in such order and position as the said Committee or any of its officers shall determine; and no person shall depart from the line or order in which he shall have been placed before he has disposed of his load, unless to leave the market, nor shall he loiter about the streets of the City with his load.

Fees of the Hay-
market.

39. That the Clerk of the Hay Market, or the lessee thereof, shall be entitled to demand and receive from each

and every person selling or exposing for sale hay and straw within the City, the following fees:—For every waggon, cart, or other vehicle containing hay, thirteen cents; for every waggon, cart, or other vehicle containing straw, ten cents; and in case hay or straw shall be brought to the City in any ship, vessel, or boat, or railway carriage, to be sold thereout or therefrom, it shall be the duty of the captain, owner, conductor or person in charge thereof, to report the same forthwith, to the clerk of the Hay Market, or the lessee thereof, who shall be entitled to demand, receive and take, for every such ship, vessel or boat, capable of carrying ten tons of hay, one dollar; for every such ship, vessel or boat, capable of carrying twenty tons, two dollars; for every such ship, vessel or boat, capable of carrying fifty tons, four dollars; and for every such ship, vessel or boat, capable of carrying over fifty tons, eight dollars, and for every railway carriage, the sum of one dollar.

No. 483.
Public Markets.
If brought in
waggons.

In vessels or rail-
way carriages.

40. That every person bringing hay or straw to the said City for sale, by whatever mode of conveyance, shall be obliged to give to the proper officer, when required so to do, a true statement (to the best of his knowledge) of the weight and quantity thereof.

Persons to give a
statement of the
quantity and
weight of the
hay or straw
they bring into
the City for sale.

41. That every person buying or selling hay or straw in the said City may require the same to be weighed in any of the public scales or weighing-machines of the said City.

Persons buying
hay or straw in
the City may
require the same
to be weighed.

42. That any person refusing to pay the market fees, or giving a wilfully false return of the quantity and weight of hay, as aforesaid, or refusing to have the hay or straw weighed when demanded, shall be liable to the penalties of this By-law.

Refusing to pay
fees, or making
false returns.
Refusing to have
load weighed.

43. That any person committing or attempting any fraud in the selling or weighing of hay, by introducing heavy articles into the waggon or other vehicle, or by wetting or concealing wet or unmerchantable articles in the load, or using any other fraudulent device or contrivance shall be subject to the penalties of this By-law.

Fraud in the
sale of hay, &c.

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Public Markets.

WEIGH-MASTER.

Appointment of
weigh-master.

44. That there shall be an officer appointed by the Municipal Council of the said City, to be called the Weigh-master for the City of Toronto.

Weigh-master to
give security to
the Corporation.

45. That the said weigh-master shall, before he enters upon the duties of his office, execute a bond to the Corporation of the City of Toronto, with two good sureties, to be approved of by the said Standing Committee on Public Markets, binding him in the sum of one thousand dollars, and such sureties in five hundred dollars each, for the faithful discharge of the duties of his office.

Duties of the
weigh-master.

46. That the following shall be the duties of the weigh-master :

Hours of atten-
dance at the
weigh-house.

(1.) To attend at the weigh-house for the purpose of weighing articles required to be weighed, from six o'clock in the morning to six o'clock in the afternoon, from the first day of May to the thirty-first day of October; and from seven o'clock in the morning to five o'clock in the afternoon, from the first day of November to the thirtieth day of April in each year, Sundays excepted.

To weigh articles
requiring to be
weighed.

(2.) To weigh all articles requiring to be weighed which may be brought to him, together with the waggon or other vehicle upon which the same may be loaded.

To give weigh-
notes.

(3.) To furnish the owner or person having charge of the load with a weigh-note dated and signed by the weigh-master, setting forth the gross weight of such load, with the waggon or other vehicle, and the tare of the waggon or other vehicle, the net weight of the load, and the name of the owner or person having charge of the same.

Particulars of
the weigh-notes.

To weigh vehicles
after they are
unloaded.

(4.) Whenever required, either by the purchaser or seller on the same day that he has weighed any load, and after the load has been unloaded, to weigh the waggon or other vehicle upon which the same was loaded,

and endorse upon the weigh-note the exact weight of the waggon or other vehicle, as ascertained on that day.

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- (5) To keep a book in which shall be entered the name or names of the owner or owners of all articles weighed by him, the name or names of the person or persons for whom the same is weighed, the weight of the articles weighed, and the day and hour of weighing the same; he shall also enter a description of the waggon or other vehicle containing any article, weighed by him, and such other particulars as may be required by the said Standing Committee on Public Markets.

To keep a book, and enter the particulars of all articles weighed by him.
- (6) To produce the book in the preceding subsection mentioned at all reasonable times whenever the same is required for inspection.

To produce his books for inspection.
- (7) To make a return in writing, as often as the Municipal Council or the Standing Committee on Finance and Assessment may direct, to the Chamberlain of all the foregoing particulars, with the fee paid in each case.

To make a return to the Chamberlain.
- (8) To inspect, when required, hay or other articles of produce sold or offered for sale in the public markets, to give his certificate if the same be wet or otherwise not merchantable.

To inspect hay and produce and certify if the same is not merchantable.
- (9) To endorse on the weigh-note whenever any article brought to him to be weighed is wet, or which from any other cause may be heavier than such article, if merchantable, ought to be, together with the deduction, which in his opinion, ought to be made on account of such wet or other cause.

To certify the deduction to be made for articles rendered heavier than they ought to be.
- (10) The weigh-master shall, until otherwise determined by a resolution or By-law of the Municipal Council, perform the duties of the General Inspector of Markets, and he shall be a special constable in the public markets, with power to enforce the regulations of the same, and control parties frequenting the markets.

To perform the duties of the General Inspector of markets.
To be a special constable in the markets.

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Public Markets.

Weigh-master's
fees.

47. That the weigh-master shall be entitled to demand and receive the following fees:—For every load of hay weighed the sum of thirteen cents; for every load of straw weighed the sum of ten cents; for the weighing of every empty waggon, twenty cents, to be paid once only in each year, unless such waggon has been altered; for the weighing of any slaughtered meat, article of provision or merchandize, if under one hundred pounds, the sum of four cents; if over one hundred pounds and not exceeding six hundred pounds, four cents for the first one hundred pounds, and two cents additional for every additional one hundred pounds, or intervening quantity; for all live animals, five cents per head; all coal, not exceeding one ton per load, ten cents, and at such rate for all over a ton weight, as may be determined by the said Standing Committee on Public Markets; and all such sums shall be paid before the articles weighed shall be removed from the weigh-house.

WEIGH-HOUSES AND WEIGH-NOTES.

Location of the
weigh-houses
and weighing-
machines.

48. That there shall be a public weigh-house and weighing-machine at the place where the present weigh-house and weighing-machine now are on Palace Street, east of East Market Square, and within the present limit of the Hay and Straw Market: there shall also be a public weigh-scale or weighing-machine at the Western or St. Andrew's Market, so soon as there are funds appropriated or applicable for the purpose; and there shall be established, from time to time, such other weigh-houses and weighing-machines at such other place or places in the said City as may be expedient, and as the Municipal Council may by resolution or By-law direct.

A person to be
appointed to
have charge of
every weigh-
house.

49. That at every weigh-house and weighing-machine in the said City a person shall be placed in charge thereof, and shall be under the control of the said Standing Committee on Public Markets.

Persons refusing
to have articles
weighed.

Refusing to have
vehicles weighed.

50. That any owner or person having charge of any load or article which he is required to have weighed and refuses to have the same weighed, or who shall neglect or refuse to

have the exact weight of his waggon or other vehicle ascertained, as is provided by the fourth sub-section of section forty-six of this By-law, or who shall refuse to produce his weigh-note for inspection when demanded of him, by any purchaser of his said load or article, or by any Alderman, Justice of the Peace, Constable, Weigh-master or Market Inspector, shall be subject to the penalties of this By-law.

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Refusing to produce weigh-notes.

51. That all weigh-notes given for articles or loads weighed by the City Weigh-master shall be binding and *prima facie*, final as to their contents upon all parties concerned in the buying or selling of such articles or loads.

Weigh-notes to be binding on buyers and sellers.

52. That any person who shall falsely and knowingly falsify, alter or make any weigh-note, or any indorsement thereon, with intent to defraud any buyer or seller, or shall exhibit for a load a weigh-note given for any other load, shall be subject to the penalties of this By-law.

Falsifying weigh-notes.

FISH MARKET.

53. That every person may sell or expose for sale fresh fish at the fish market, or at any other place within the said City not one of the public markets.

Places for selling fish in the city.

54. That each person selling fish in the said fish market, who shall not have a stall therein, and who shall not have paid any other market fee in the said fish market, shall pay to the clerk of the said fish market, or the lessee thereof, the sum of ten cents for each day on which he or she may sell fish in the said market.

Fees to clerk of the fish market.

55. That, except on Sundays, from the first day of October to the first day of May, the fish market shall be kept open from sunrise until eleven o'clock in the morning on each day, but on Saturdays it shall be kept open from sunrise until two o'clock in the afternoon; and from the first day of May to the first day of October the said fish market shall be kept open from sunrise until ten o'clock in the morning, but on Saturdays it shall be kept open from sunrise until twelve o'clock noon.

Hours in which the fish market is to be kept open.

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Fees for fish
brought to the
City.

56. That all persons bringing fish to the City for sale shall pay the following fees, that is to say:—For all fish brought in a boat or skiff, the sum of fifteen cents; and for all fish brought in any other manner, the sum of five cents for every quantity not exceeding one hundred pounds in weight, and for every quantity over one hundred pounds in weight the sum of five cents per one hundred pounds.

Persons bringing
fish into the City
to give a state-
ment of the
quantity and
weight thereof.

57. That every person bringing fish to the said City upon which fees are payable, shall be obliged to give as correct a statement of the quantity and weight thereof as he reasonably can, to any Officer of the said City requiring the same, and in case of such person wilfully making any false statement in regard thereto, he shall be subject to the penalties of this By-law.

CATTLE MARKET.

Arranging cattle
in the cattle mar-
ket.

58. That all animals exposed for sale or marketed in the cattle market shall be arranged in such order as the Market Clerk or the lessee thereof shall direct, and be fastened in the stalls or to the place or places assigned for such purpose, so as to secure them from doing injury to any person or being injured by each other.

Sale of cattle,
and other ani-
mals.

59. That no horned cattle, calves, swine, sheep, horse, mare or gelding, brought into the said City for sale, shall be sold in any of the public streets or other place in the said City before they have been at the cattle market, and the market fees have been paid thereon, except such as may be sold by any licensed auctioneer for the said City upon his own premises, or at such other place or places as the said Standing Committee on Public Markets may authorize him to use for such purpose.

PENALTY.

Penalty.

60. That any person or persons guilty of an infraction of any of the provisions of this By-law, shall upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay at the

discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars for each offence, together with the costs of prosecution; and in default of payment thereof forthwith, it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant under his hand and seal or in case the said Mayor, Police Magistrate, and Justice or Justices, or any two or more of them are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty, and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour, for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

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Distress in default of payment.

Commitment in default of distress.

No. 502.

A By-law relative to the Public Health of the City of Toronto.

PASSED 26TH NOVEMBER, 1869.

WHEREAS by an Act passed in the session of the Parliament of the Province of Canada, held in the twenty-ninth and thirtieth years of the reign of Her Majesty Queen Victoria, and chaptered fifty-one, it is among other things enacted that the members of every City Council shall be the Health Officers of their respective municipalities, under the Consolidated Statute of Upper Canada respecting the Public Health, and under any Act passed after the said Act chaptered fifty-two shall have taken effect, for the like purpose, but that any such Council may, by By-law, delegate the powers of its members as such Health Officers, to a Committee of their own number, or

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to such persons, either including or not including one or more of themselves, as the Council thinks best :

And whereas the Municipal Council of the City of Toronto has a Standing Committee of its own members, called the Board of Works, and it is considered advisable to delegate the said powers in the said recited Statute mentioned, to the members of the said Municipal Council, who at the present time, or who shall from time to time, constitute the said Committee :

And whereas by the said hereinbefore recited Act, power is given to the Council of every City to pass By-laws for providing for the health of the Municipality, and against the spreading of contagious or infectious diseases :

Therefore the Municipal Council of the Corporation of the City of Toronto enacts as follows :

By-law No. 431,
repealed.

1. That from and after the passing of this By-law, By-law number four hundred and thirty-one of the City of Toronto, shall be and the same is hereby repealed: Provided always, that nothing in this By-law contained shall be construed as reviving any former By-law of the said City, heretofore repealed by the said By-law number four hundred and thirty-one, or by any other By-law.

HEALTH OFFICERS.

Delegation of the
powers of the
Members of Council
as Health
Officers, to the
Board of Works

2. That all the powers and authorities conferred upon or vested in the members of the Municipal Council of the City of Toronto, by the said recited Statute, or by any other Act of Parliament heretofore, or hereafter to be enacted, as Health Officers of the said City, are hereby delegated to the members of the said Municipal Council, who at the present time and who shall from time to time be the members of the Standing Committee of the said Municipal Council, called the Board of Works.

HEALTH OFFICE AT CITY HALL.

Medical and other
officers to have
an office in the
City Hall.

3. That there shall be provided at the City Hall a suitable office for the accommodation of the medical and

other officers to be appointed as hereinafter mentioned, and in which, if deemed convenient, the said Committee may meet when called to deliberate on matters connected with the public health.

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HEALTH INSPECTORS AND THEIR DUTIES.

4. There shall be elected by the Council, on the recommendation of the said Committee, an officer to be called the Health Inspector, who shall hold office during the pleasure of the Council, and until his successor is elected and qualified, and such appointment shall not be limited to one officer, if it be deemed necessary in the interest of the public health to increase the number of such Inspectors.

Appointment of
Health Inspector.

Several Health
Inspectors may
be appointed.

5. That every Health Inspector shall, before entering upon the duties of his office, make the following declaration before the Mayor of the City for the time being, viz.: "I, hereby declare that I will, to the best of my skill and judgment, duly and faithfully perform all the duties appertaining to my office of Health Inspector, as declared by the By-laws of the City of Toronto, and that I will not directly or indirectly, for myself or others, in trust for me or on my account, have any interest or concern in any purchase, contract or agreement, to be made in pursuance of this By-law."

Declaration to be
made by the
Health Inspector.

6. That the following shall be the duties of the Health Inspector:

Duties of the
Health Inspector.

- (1). To attend at the Health Office a portion of each day, as the said Committee may direct.
- (2). To keep a record of all his proceedings in books, in which shall be entered, under appropriate heads, any expenditure ordered in his department, with the names of all persons who have furnished materials, and of all workmen, and the time worked, and the amount to be paid to each individual, and to make a report thereof to the said Committee when-

To attend the
office every day.

To keep a record
of his proceed-
ings.

To report to the
Committee.

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ever required so to do, and at the end of each year a schedule of the property under his charge belonging to the City, and the value thereof.

To keep a supervision over the lanes, &c., of the City.

- (3). To keep a vigilant supervision over all the lanes, by-ways, vacant lots or premises within the said City, upon which any accumulation of dung, manure, offal, filth, refuse, stagnant water, or other matter or thing may be found, and at once, either when required by any person or otherwise, to examine the same and notify the parties who own or occupy such premises to remove the same.

To notify parties to remove filth, &c.

To lodge an information against persons refusing to remove filth, &c.

- (4). To make a report of such examination in the Form "A" to this By-law annexed, and if the same be not removed within twenty-four hours after notice thereof, as aforesaid, to lodge information with the Police Magistrate for the City, or any Alderman or Justice of the Peace presiding as such for the time being, to the end that proceedings may be immediately taken against the parties so offending, in accordance with the provisions of this By-law; and it shall be in his discretion to cause the same to be removed.

To examine sources of filth and causes of sickness on board vessels.

- (5). To examine all sources of filth and causes of sickness which may be on board any vessel at any wharf within the harbour of Toronto, or which may have been landed from any vessel on any wharf or other place, when notified of the same, and under the direction of the said Committee shall cause the same to be removed or destroyed.

To examine the water of wells.

- (6). To examine or cause to be examined by analyzation or otherwise the water of any well within the City, when requested so to do by the Mayor, any member of the said Committee, any member of the City Council, or any Medical Practitioner of the City, or when he thinks it expedient so to do, and to forbid the use of the water from any well that is found to be unfit for use, and to take such steps as may be necessary to purify the same.

- (7). To keep a vigilant look-out over the sewers and other public works in the said City, and in case the same shall be in such a condition as to be a nuisance, to immediately report the same to the said Committee or its Chairman, who shall forthwith direct necessary steps to have the same remedied, abated, or removed.
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To report where sewers or other public works become a nuisance
- (8). To visit the premises of all butchers and all slaughter-houses at least once a week during the months of May, June, July, August, September, and October, and twice a month during the remainder of the year, and report to the said Committee the result of such visits immediately thereafter.
- To visit butchers' premises and slaughter-houses.
- (9). To make all necessary arrangements for removing all decaying animal or vegetable matter from the streets, and for the temporary deposit and subsequent removal of manure, house dirt and offal.
- To arrange for removal of decaying matter, &c.
- (10). To see that the provisions of the several sections of this By-law, except such as devolve certain duties on other officers, are strictly enforced, and generally to obey and carry out the intentions and directions of the said Committee in matters relating to the public health.
- To obey the provisions of this By-law and the instructions of the Committee.
- (11). To enter in books, to be kept for that purpose, when instructed by the said Committee to sell any articles or materials belonging to the said City or to do or cause to be done any work for any individual from which money shall become due to the said City, all such sales and work done with the price thereof, and forthwith make out bills for the same and deliver them to the Chamberlain of the said City for collection, and the said Chamberlain shall forthwith demand payment of the said bills; and in case any bills or dues under this By-law shall remain unpaid at the expiration of one month after demand for payment as aforesaid, the said Chamberlain shall deliver the same to the City Solicitor for legal pro-
- To make entries of the sale of articles belonging to the City.

Of work done for individuals.

To deliver bills thereof to the Chamberlain.

The Chamberlain to demand payment of the bills, and after one month hand them over to the City Solicitor.

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ceedings; but if at any time the Mayor shall be satisfied that the interests of the said City require it, he may cause legal proceedings to be had at any time.

To make up and (12).
certify the pay-
rolls of servants
under him.

To make up and certify the pay-rolls of the workmen, servants or labourers employed under his direction, which said pay-rolls upon being duly passed by the said Committee, and subject to section eighty-six of By-law number five hundred and four, shall be paid by the said Chamberlain.

MEDICAL HEALTH OFFICERS.

Appointment of
Medical Health
Officers.

7. That in addition to the appointment of Health Inspectors as hereinbefore provided, it shall be lawful for the Council when it is deemed indispensable for the preservation of the public health, and the more promptly and effectually carrying into effect the sanitary conditions of this By-law, to appoint one or more members of the medical profession to be Medical Health Officer or Officers, to hold office during the pleasure of the Council; and whose duties and remuneration shall be specially defined from time to time by resolution of the Council or the said Committee.

Tenure of office.

Salary.

The Mayor or the
Committee may
direct a medical
practitioner to
visit cases of sick-
ness and desti-
tution,

8. That in the absence of such appointment of Medical Health Officer or Officers, it shall be lawful for the Mayor or the said Committee or any members thereof, upon being informed by any Health Inspector, Constable or other person, that any destitute person or family is in sickness and destitute, to call upon some member of the medical profession, at once to proceed to visit such person or family, and upon such visitation to take such measures for their immediate relief as to him may seem requisite, either by reporting them as fit subjects to be removed to the General Hospital, or other place provided for that purpose, or by supplying them or directing that they be supplied with the requisite and necessary medicine for their relief at the expense of the City; and a regular and correct account of each case, and of any such expenditure shall be kept by him, and a return of the same shall be made to the said Committee from time to time.

and take mea-
sures for their im-
mediate relief.

A return of the
expenditure to
be made to the
Committee.

9. That in the absence of such appointment of Medical Health Officer or Officers, it shall be further lawful for the Mayor or the said Committee to call in and avail themselves of medical or scientific advice or assistance in cases in which, in the exercise of a sound discretion, they deem it indispensable to seek such advice and assistance in determining questions relating to the adulteration or sale of unwholesome food, the defilement of water, or which may be otherwise difficult of determination in carrying into effect the sanitary conditions and intentions of this By-law, and a return of fees or expenditure paid or incurred in obtaining or incident to such advice or assistance shall be made to the said Committee from time to time.

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The Mayor or the Committee may procure assistance to determine questions regarding unwholesome food or water.

A return of the expenditure to be made to the Committee.

GENERAL POWERS OF THE BOARD OF PUBLIC WORKS IN MATTERS RELATING TO THE PUBLIC HEALTH.

10. That the said Committee shall examine into all nuisances, sources of filth, and causes of sickness within the said City, or in any vessel within the harbour of the said City, that may in its opinion be injurious to the health of the inhabitants, and shall destroy, remove or prevent the same, as the case may require, and shall further enquire respecting articles that are capable of containing or conveying infection or contagion brought or conveyed into the said City by or through any vehicle or vessel, or by any means whatsoever.

Committee to examine into sources of filth and causes of sickness in the City or in vessels, and remove or prevent the same.

11. That the said Committee may grant permits for, or restrain the removal of, any nuisance or infected articles within the said City, when they consider it safe and proper for the public safety so to do.

Committee may grant permits to restrain or remove nuisances.

12. That whenever it shall appear necessary to the said Committee or any of its Officers for the preservation of the public health, or for the abatement of any nuisance, or upon the receipt by the said Committee of a notice signed by two or more inhabitants of the said City, stating the condition of any building in the said City to be so filthy as to be a nuisance, or injurious to health, or that upon any premises within the said City there is any foul or offensive

Committee or its Officers may enter buildings upon being notified of a nuisance therein.

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The proprietors
to remove the
nuisance after
twenty-four
hours' notice.

If nuisance is re-
peated, the Com-
mittee may order
its removal.

Form of notice
to remove nu-
isances.

Powers of Com-
mittee when ma-
lignant disease
exists in any
crowded house.

ditch, gutter, drain, privy, cesspool or ash-pit, kept or constructed so as to be a nuisance or injurious as aforesaid, or that upon any such premises, any accumulation of dung, manure, offal, filth, refuse, stagnant water or other matter, or thing, are, or is kept, or permitted to remain so as to be a nuisance, or injurious as aforesaid, the said Committee, or any of its officers, shall have full power and authority to enter such building or premises for the purpose of examining the same, and, if necessary, to order the removal of any such matter or thing as aforesaid; and, if any proprietor or his lawful agent or representative having charge of, or control of such premises, or the occupants or any other person having any legal or equitable interest therein, after having had twenty-four hours' notice from the said Committee, or any of its officers, to remove or abate such matter or thing as aforesaid, shall neglect or refuse to remove or abate the same, he shall be subject to the penalties of this By-law; and, in case any similar nuisance shall be repeated by any such proprietor, agent or occupant of any premises, the said Committee, without any further notice to the party so offending, may in their discretion remove, or cause to be removed or abated, such nuisance or cause of sickness, and the costs and expenses thereof, shall be forfeited by the persons hereinbefore mentioned, in addition to the penalties of this By-law: Provided always, that such costs, expenses and penalty shall not exceed the sum of fifty dollars.

13. That the notice mentioned in the preceding section of this By-law may be in the form "B," to this By-law annexed, and, if the premises are occupied, shall be served on the occupant or some servant or member of his family, and, if the premises are vacant, the same notice shall be served on the owner of the premises, his agent or representative, or left at his or their last or usual place of abode.

14. That whenever a disease of a malignant and fatal character is discovered to exist in any dwelling-house within the said City, and which house is situated in an unhealthy or crowded part of the same, or is in a filthy and neglected state, or is inhabited by too many persons, the said Committee, or a majority of the members thereof,

may, in the exercise of a sound discretion, and at the expense of the City, compel the inhabitants of such dwelling-house to remove therefrom, and may place them in sheds, or tents, or other good shelter in some more salubrious situation, until measures can be taken under the direction, and at the expense of the City for the immediate cleansing, ventilation, purification and disinfection of such dwelling-house.

No. 502.
Public Health.

PREVENTION OF THE SPREAD OF DISEASE.

15. That during the prevalence of any epidemic, when any hotel or boarding-house keeper knows that a person within his house is taken sick of cholera, small pox, or any other disease of a malignant character dangerous to the public health, he shall immediately give notice thereof to the said Committee or one of its officers; and it shall be the duty of the officer so notified to visit the same with a view of taking such steps as he may deem necessary to prevent the spread of such disease.

Hotel and boarding-house keepers to notify Committee when any person in their house is taken with cholera, &c.

16. That during the prevalence of any epidemic, when any physician knows that any person whom he is called to visit is infected with cholera, small pox, or any other disease of a malignant character dangerous to the public health, he shall, if in his opinion the interests of the public health requires it, immediately give notice thereof to the said Committee or one of its officers, to the end that prompt measures may be instituted to prevent the spread of such disease.

Physicians to notify Committee when any person has a disease endangering the public health.

OFFENCES AGAINST HEALTH IN MATTERS RELATING TO FOOD AND WATER.

17. That any person or persons fraudulently adulterating, for the purpose of sale, bread or any other substances intended for food, with any substance injurious to health, shall, in addition to any other punishment prescribed by law, be subject to the penalties of this By-law, and the articles so adulterated shall be forfeited and destroyed under the direction of the court in which such case shall be tried.

Adulteration of food.

No. 502.
Public Health.

The sale or ex-
portation of
tainted fish or
meat.

18. That any person or persons selling within the said City, or exporting therefrom, tainted or damaged fish, or flesh meat, unless with the intent that the same shall be used for some other purpose than as food, shall be subject to the penalties of this By-law; and upon a trial or inquiry in such case the burden of proof shall be upon the person accused to shew for what purpose such fish or flesh-meat was so exported or sold; and the convicting Justice may order such food to be destroyed.

Importation of
decayed vege-
tables or tainted
meat or fish.

19. That no person or persons shall bring into the said City, by land or water, or land on any wharf or other place, any decayed fruit, potatoes, or other vegetable product, or any tainted or damaged flesh-meat or fish, without a permit therefor from the said Committee or the said Health Inspector, and in such a manner as they or he shall direct.

Defiling water or
injuring water
pipes.

20. That any person or persons wilfully or maliciously defiling, corrupting, or making impure any spring or other source of water or reservoir, or destroying or injuring any pipe, conductor of water or other property pertaining to an aqueduct, or aiding or assisting in the same, shall, in addition to any other punishment prescribed by law, be subject to the penalties of this By-law.

SLAUGHTER-HOUSES.

Erection of
slaughter-houses.

21. That no person or persons shall build or erect any slaughter-house or building, or use any yard or premises for the purpose of killing therein, without the express permission or license of the said Committee, and such license or permission shall only be granted by the said Committee upon its appearing to them, from the certificate of the Health Inspector, that such slaughter-house or building is located, made and constructed as hereinafter provided.

License to be
granted on the
certificate of the
HealthInspector.

Slaughter-houses
at present exist-
ing.

22. That no person or persons shall maintain or continue any slaughter-house or building, yard or premises, for the purpose of killing therein, at present erected, built or kept within the limits of the said City without the express permission or license of the said Committee, such license or permission only to be granted by the said Committee upon

License to be
granted on certi-
ficate of the
HealthInspector.

its appearing to them from the certificate of the Health Inspector that such slaughter-house or building is situated at least one hundred feet from any public street, and three hundred feet from any residence or dwelling, except that of the owner of such slaughter-house, and that it is in no manner injurious to the public health.

No. 502.
Public Health.

23. That no butcher or other person shall kill or slaughter any heeves, calves, sheep, or other animals within the said City, unless such person or persons shall have procured a license therefor from the said Committee, on the conditions and as provided for in sections twenty-one and twenty-two of this By-law, and then only upon it appearing to the Health Inspector that the house, yard, pen or place where such killing shall take place is paved or laid with stone-flag or tile, and the same inlaid with cement and made impervious to water, and the floor in every such case made with a descent towards a gutter which shall pass through the same and leading to a tub or reservoir which shall be placed to receive the blood and offal passing therein, which shall be emptied, in conformity with section thirty-nine of this By-law, at the end of each day when killing has been done on the premises at such place, that no offensive effluvia may arise therefrom.

Butchers not to
kill or slaughter
without a license.

Construction of
slaughter-houses.

24. That every slaughter-house or building so used shall be lime whitewashed inside, at least once in each month between the first day of April and the first day of November in each year, and shall also be supplied with a hydrant, pump or well, having a sufficient supply of water for the purpose of keeping the same clean and free from smell, and shall also at all times have a printed copy of these regulations relating to slaughter-houses hung up or exposed in some conspicuous part of such building or premises.

Slaughter-houses
to be white-
washed and have
a supply of water
for cleansing the
same.

Regulations re-
lating to slaugh-
ter-houses to be
exposed therein.

VAULTS AND DRAINS

25. That all grounds, yards, vacant lots, or other properties, where stagnant water or other nuisance exists, abutting on any street, or any portion of a street in the said City through which a common sewer has heretofore been, or may

Stagnant water
to be drained
into the common
sewers.

No. 502.
Public Health.
Service-drains to
be trapped.

A service-drain
not to drain the
cellars of more
than two houses.

hereafter be constructed, shall be drained into such common sewer; and all service-drains from cellars and dwellings shall be well and sufficiently trapped so as to prevent the escape therefrom of foul air or gases into such cellars or dwellings; and no service-drain shall be held to be sufficient for the drainage of the cellars of more than two such houses or dwellings.

Drains for cow-
sheds, stables, &c.

26. That no cows or other cattle, swine or goats, shall be kept in the City unless such proper drains are connected with the sheds, stables or pens, as will thoroughly carry off all liquid filth issuing therefrom, so that it shall not in any way constitute a nuisance, or a danger to the public health; but if no drains are constructed on the streets opposite the lot or premises on which such stables or sheds are situated, then the owner or occupant of such stable or shed shall provide a cistern or reservoir so constructed as to receive all liquid filth issuing therefrom, and the same shall be removed and disposed of in accordance with section thirty-nine of this By-law.

PRIVY VAULTS.

Drains to privies.

27. That the owner, agent, occupant or other person having the care of any tenement used as a dwelling house, or of any other building with which there is a privy connected and used, shall furnish the same with a sufficient drain under ground, whenever practicable, to carry off the waste water, and the vault of any such privy shall be sunk under ground, and built in the manner hereinafter prescribed.

Privies to be
made tight and
remote from
wells or water-
tanks.

28. That all vaults and privies shall be made tight, so that the contents thereof cannot escape therefrom, and as remote from the well or water-tank as practicable.

Tenements not
having proper
privy vaults or
drains.

29. That if the said Committee shall at any time be satisfied that any tenement, used as a dwelling house, or any such other building as is mentioned in the twenty-seventh section of this By-law, is not provided with a suitable privy, vault and drains, or either of them as aforesaid, they may give notice in writing to the owner, agent, occupant or other person having the care thereof, requiring

No. 502.
Public Health.

such owner, agent, occupant or other person within such time as they shall appoint, to cause a proper and sufficient privy, vault, and drain, or either of them to be constructed for such tenement or other building, and in case of neglect or refusal, the said Committee shall have power to cause such privy, vault, or drain to be made for such tenement or other building, and such owner, agent, occupant, or other persons shall be subject to the penalties of this By-law: Provided always, that the expenses and penalty shall not exceed the sum of fifty dollars, nor shall be less than the amount of the expenses so incurred by the said Committee.

30. That whenever any vault, privy or drain shall become offensive or obstructed, the same shall be cleansed and made free, and the owner, agent, occupant, or other person having charge of the land in which any vault, privy or drain may be situated, the state or condition of which shall be in violation of the provisions of this By-law, shall remove, cleanse, alter, amend or repair the same within such reasonable time after notice in writing to that effect given by the said Committee or any of its officers, and in case of neglect or refusal the said Committee may cause the same to be removed, altered, amended, or repaired as they may deem expedient, and such owner, occupant or other person shall also be liable to the penalties of this By-law; Provided always, that the expenses and penalty shall not exceed the sum of fifty dollars, nor shall be less than the amount of the expenses so incurred by the said Committee.

Offensive vaults,
privies and drains
to be cleaned,
removed or re-
paired.

NIGHT-SOIL.

31. That it shall not be lawful for any person or persons within the said City to remove from any premises within the said City, night-soil, without being duly authorized so to do by the said Committee, and it shall be the duty of the said Committee to issue a notice to persons desirous of tendering for the removal of all night-soil, as aforesaid: Provided always, that no such authority shall be granted to parties so tendering unless in the opinion of the said Committee they are in possession of the necessary appurtenances for performing the duties assigned thereto.

Night-soil to be
removed only by
persons author-
ized, and having
the necessary ap-
purtenances.

No. 502.
Public Health.

Deposit of night-soil.

32. That it shall not be lawful for any person or persons within the said City to deposit upon any of the streets or upon any land or lot within the said City, any night-soil or other filth, or refuse matter of any kind without the consent and under the directions of the said Committee or Health Inspector of the said City.

Committee to contract for removal of night-soil.

33. That the centre of Yonge Street, from the Bay to Yorkville shall be considered as the dividing line between the Eastern and Western portions of the said City, and the said Committee is hereby empowered to accept tenders and contract with parties for the removal of night-soil from the Eastern and Western portions of the said City as above described.

Night-soil to be removed by contractor when notified by the Health Inspector.

34. That it shall be the duty of every party authorized under the thirty-first section of this By-law, within forty-eight hours after notice given to him by the Health Inspector, to remove or cause to be removed from the premises of any of the inhabitants within the said City, the night-soil accumulated therein, and to deposit the same in some place under the restrictions, and subject to the directions of the said Health Inspector: Provided always, that no greater sum shall be charged the person or persons from whose premises such night-soil be removed than is named in the tender or tenders accepted by the said Committee; and should the Contractor at any time fail to remove such night-soil within forty-eight hours after having been notified so to do, the said Health Inspector shall have power to employ other parties to do such work, and charge the excess of cost, if any, to such contractor; and it shall be the duty of the said Health Inspector to furnish the party or parties from whose premises such night-soil has been removed, a certificate of the quantity removed, and the charge according to the rate fixed in and by such tender for such removal; and the said Committee may at any time order the use of such disinfecting agents as may seem necessary and desirable during the removal of such night-soil, and at the cost of the parties from whose premises such removal is being made.

Charge for removal.

Failure of contractor to remove night-soil.

Disinfectants may be used in removal of night-soil.

35. That books shall be kept at the several Police Stations or other convenient places, under the charge of the said Health Inspector, in which shall be entered all complaints relating to nuisances, and all applications for opening and cleansing the vaults, said last entries to specify the number of loads, if less than the whole contents of the vault, to be removed, and the same shall receive attention in the several wards in the order in which they are made, so far as practicable.

No. 502.
Public Health.

Books to be kept at Police Stations for complaints relating to nuisances.

36. That no vault shall be opened between the first day of May and the first day of October in each year, unless on inspection caused to be made, the said Health Inspector shall be satisfied of the necessity of the same for the health or comfort of the inhabitants; and in such cases, no more of the contents shall be taken away than the said Health Inspector shall deem to be absolutely necessary for present safety and relief, and such precautions shall be used relative to the prevention of any offensive effluvia as they or either of them shall direct at the expense of the owner, agent, occupant, or other person having charge of the premises.

Vaults not to be opened between 1st of May and 1st of October, except in cases of necessity.

OFFAL AND ASHES.

37. That it shall not be lawful for any person or persons within the said City to permit or suffer the accumulation of any dung, manure, offal, filth, refuse, stagnant water or other matter or thing upon his or her premises, or on any vacant lot belonging to him or her, or to place on any of the public lanes or by-ways, in front or in rear of their buildings or premises, any manure or other refuse, vegetable or animal matter, or any other dirt or filth which in the opinion of the said Health Inspector shall prove to be a nuisance.

Persons not to permit accumulation of filth or stagnant water on their premises.

38. That all house offal, whether consisting of animal or vegetable substance, shall be placed in suitable vessels; and no ashes or other refuse matter shall be mingled therewith, and the same shall be kept in some convenient place to be taken away by the City Scavengers, which shall be done as often as the said Committee shall require and direct.

House offal to be kept in suitable vessels.

Removal of house offal.

No. 502.
Public Health.

House dirt, &c.,
not to be carried
through the
streets, unless by
persons author-
ized.

Time for remov-
ing same.

Removal of ashes
and cinders.

Dead animals,
dirt, ashes, &c.,
not to be thrown
on the streets,
&c.

Dead animals or
offensive matter
not to be thrown
into the Bay.

Liability of per-
sons for breach
of preceding
section.

39. That no person or persons shall remove or carry in or through any of the streets, squares, courts, lanes, avenues, places or alleys of the said City, any house dirt or house offal, animal or vegetable or refuse substances from any of the dwelling-houses or other places in the said City, unless such person so removing or carrying the same, and the mode in which the same shall be removed and carried shall have been expressly authorized by the said Committee, upon such terms and conditions as they shall deem the health and interest of the said City require, and the same shall only be removed between the hours of twelve o'clock at night and two hours after sunrise during the months of May, June, July, August, and September, horse-stable manure excepted; but all the ashes and cinders made from steam-engines, or steam-boilers, forges or furnaces used for mechanical purposes, or from dwellings, shall be removed at the expense of the parties occupying such buildings, or the owners thereof, at any time, but in such manner as the Health Inspector shall direct.

40. That no person or persons without the license or permission of the said Committee shall throw into or leave in or upon any street, court, square, lane, alley, wharf, public square, public enclosure, vacant lot, or any pond or body of water within the limits of the said City, any dead animal, dirt, saw-dust, soot, ashes, cinders, shavings, hair, shreds, manure, oysters, clam or lobster shells, waste water or filth of any kind, or any refuse, animal or vegetable matter whatsoever; nor shall any person throw into or leave in the Bay any dead animal or other foul or offensive matter.

41. That if any of the substances mentioned in the preceding section shall be thrown or carried from any house, warehouse, shop, cellar, yard or other place, or left in any of the places specified in the preceding section, the owner and occupant of such house, warehouse, shop, cellar, yard, or other place as aforesaid, and the person who actually threw, carried or left the same, or who caused the same to be thrown, carried or left, shall severally be held liable for such violation of this By-law; and all such substances

shall be removed from the place where they have been so thrown or left as aforesaid, by such owner or occupant or other person within four hours after personal notice to that effect given by the said Health Inspector, or such removal may be made under the direction of the said Health Inspector, and the expense thereof borne by such owner or occupant.

No 502.
Public Health.

SCAVENGER CARTS.

42. That the said Committee may provide for the public purposes of the said City such Scavenger Carts as the said Committee may deem necessary; and each cart shall be supplied with one horse and the necessary appurtenances, and be controlled by one man, and the horses, carts and men shall be under the order and direction of the said Committee or the said Health Inspector, and be employed by the said Committee when and where required, in the removal of house offal, and taking and carrying away of dead animals, and in the collecting and removing all decayed animal or vegetable matter, dung, manure, filth, refuse, or other matter or thing whatever from the streets, lanes and other public places within the limits of the said City; and the said Committee shall so arrange the scavenger beats, that all house offal shall be removed from the different premises in the City not less than once in each week.

Scavenger carts to be under the control of the Committee and the Health Inspector.

ADDITIONAL ASSISTANCE FOR THE PRESERVATION OF THE PUBLIC HEALTH.

43. That it shall be the duty of all officers, servants, workmen and agents of the Corporation, to give all possible aid and assistance in their power to the Health Inspector and any of the officers of the said Committee.

All officers, &c., of the Corporation to assist the Health Inspector and any officers of the Committee.

44. That whenever it shall be considered necessary the said Committee are hereby authorized to accept the services of persons in the several wards of the said City who may be willing to volunteer for the purpose of maintaining and preserving the public health, and such persons, for the time being, upon their names being duly notified by procla-

Committee may procure further assistance in maintaining the public health.

No. 502.
Public Health.

mation or other public notice, shall be invested with and exercise all the powers and privileges exercised by the said Health Inspector under this By-law.

PENALTY.

Penalty.

45. That any person or persons guilty of an infraction of any of the provisions of this By-law, shall upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars for each offence, together with the costs of prosecution, and in default of payment thereof forthwith, it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant, under his hand and seal, or, in case the said Mayor, Police Magistrate, and Justice or Justices, or any two or more of them, are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto with or without hard labour, for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

Distress in default of payment.

Commitment in default of distress.

FORM "A."

(See Section 6, Subsection 4.)

No. HEALTH INSPECTOR'S REPORT.

No. Queen Street.
House, (insert the number of stories and if the house is a brick or frame building).

Owner.

In condition.

Tenants. { Males.
 { Females.

No. 502.
Public Health.

State of Premises.

Privy	Yard	Cellar	Stable
Lane	Well		

Proximity of above.

From Privy to Well.	Feet.
“ “ Dwelling.	“
“ Pig, Cow or Horse Stable to Dwelling.	“
“ “ “ “ “ Well.	“

General Remarks.

Locality, high or low

Water, good or bad

State of Sewerage

Toronto, 1869.

This is to certify and declare that I have examined the premises above mentioned, in accordance with the provisions of By-law No. 502, and that the state thereof is as I have described.

Inspector.

FORM “B.”

(See Section 13.)

No. , 1869.

, Owner

Notified to remove the filth from in hours.

Time, 10 o'clock, A.M.

No. Toronto, , 1869.

SIR,—You are hereby notified, in compliance with the provisions of By-law No. 502, to cause to be removed from the in the premises by you, on all filth, &c., within • hours from this date, or in default, I will cause the same to be done, and the cost and expenses thereof charged to you, in addition to any penalty imposed by the said By-law.

Inspector.

No. 503.
Erection of
Buildings.

No. 503.

A By-law for regulating the erection of Buildings, and the Storage of Inflammable Substances, and for making other provisions for the prevention of Fires.

PASSED 26TH NOVEMBER, 1869.

WHEREAS it has been found necessary from time to time to pass Acts and By-laws to regulate the erection of buildings, party walls and chimneys, to provide for the storage of inflammable substances, and to make other regulations for the prevention of fire within the City of Toronto :

And whereas it has been found expedient to consolidate all the Acts and By-laws of the said City heretofore existing that in any way relate to the subjects aforesaid, and to incorporate them into one By-law :

Therefore the Municipal Council of the Corporation of the City of Toronto, enacts as follows :

Repeal of former
By-laws.

1. That from and after the passing of this By-law, the following By-laws of the City of Toronto shall be, and the same are hereby repealed, that is to say, By-laws Numbers one hundred and four, one hundred and eighty-three, three hundred and nineteen, four hundred, four hundred and thirty-two, and four hundred and fifty.

INSPECTOR OF BUILDINGS.

Appointment of
an Inspector of
Buildings.

2. That the Municipal Council shall from time to time appoint a competent, practical and discreet person to be Inspector of Buildings, at such annual salary as the said Municipal Council may think fit to provide.

Duties of the In-
spector of Build-
ings.

To oversee the
erection of build-
ings.

3. That the duties of the Inspector of Buildings shall be to oversee the erection of all buildings hereafter to be built, altered, or reconstructed within the City of Toronto, to examine carefully, whenever he may be directed by the Mayor, the Police Magistrate, or any Alderman, of the said

City, all chimneys, fire-places, hearths, ovens, boilers, furnaces, stoves, steam-pipes, stove-pipes, funnels, flues, and all places where fires are made or kept, or where ashes are kept, and report thereon to the Mayor, Police Magistrate, or presiding Justice of the Peace for the said City of Toronto, and under the direction of the said Mayor, Police Magistrate, or Justice, if the same be dangerous, to notify the owner, occupier or party using the building where such chimney or other place for keeping or making fire, or for keeping ashes may be, to discontinue the use of or to remove the same, and generally to enforce the provisions of this By-law, as well as those of any By-laws now in existence or that may hereafter be passed for the prevention of fires.

No. 503.
Erection of
Buildings.

To examine chimneys, fire-places, &c.

To report thereon if the same be dangerous.

To notify the owners to discontinue the use of dangerous chimneys, &c.

To enforce the provisions of this and other By-laws for the prevention of fires.

4. That any owner, occupier, or party using a building where any chimney, fire-place, hearth, oven, boiler, furnace, stove, steam-pipe, stove-pipe, funnel, flue, or place for making or keeping fire or keeping ashes, as aforesaid, is deemed to be dangerous, having received a notification from the said Inspector of Buildings to discontinue the use of, or to remove the same as aforesaid, if the same shall not be immediately discontinued to be used or shall not be removed as directed, it shall and may be lawful for the said Inspector of Buildings, under the direction of the said Mayor, Police Magistrate or Justice, to employ the necessary aid and assistance to remove the same; and any person neglecting or refusing to discontinue the use of or to remove such chimney, or other place for making or keeping fire, or for keeping ashes, as aforesaid, after being notified by the said Inspector of Buildings, or obstructing the said Inspector of Buildings in the removal of the same, shall be subject to the penalties of this By-law.

The Inspector may remove dangerous chimneys, &c., where the owner refuses to do so after being notified.

Liability for refusing to discontinue the use of or to remove dangerous chimneys, &c.

5. That until otherwise ordered by resolution of the said Municipal Council, the City Engineer shall perform the duties prescribed by this By-law, to be performed by the Inspector of Buildings.

City Engineer to perform the duties of the Inspector of Buildings.

REGULATIONS DURING THE ERECTION OF BUILDINGS, OR RE-BUILDING.

6. That in all cases of building or re-building any house, warehouse, storehouse, or other building, where such build-

Fences to be placed in front of buildings in

No. 503.
Erection of
Buildings.

course of erection,

or the scaffold
shall be planked
over.

ing is to be erected on the line of any public street or way, or within seven feet thereof, there shall be erected a boarded fence six feet high, to enclose one-half the sidewalk allowance in front of such building, and outside of such fence a planked pathway shall be laid, at least four feet wide, for the convenience and security of the public; or it shall be lawful instead of such fence or pathway, to plank over the whole of the scaffold at the height of the first floor above the ground floor, and to enclose such scaffold at the same height, at least eighteen inches all round, above the level of the planked floor aforesaid, the sidewalks of the street being left free for the public uses.

Building material not to be placed on the sidewalk, nor to occupy more than one-third of the roadway.

Removal of building material.

7. That no person shall place any lumber, stone, chips, shavings, rubbish, or any other building material whatsoever, on any sidewalk; and, when buildings are being erected on any street, no person shall be allowed to occupy more than one-third of the roadway with any such building material; and no person shall place any such stone, lumber, or any building material, in such manner as to obstruct the free passage of water in the drains, gutters, or water-courses; and no person shall suffer or permit any such building material to remain on the street any longer than is absolutely necessary for the erection of the building for which such material is designed, and on the completion of any building, shall within three days entirely remove the same from the street, and cause the street to be cleared from all such building material, and left in good repair.

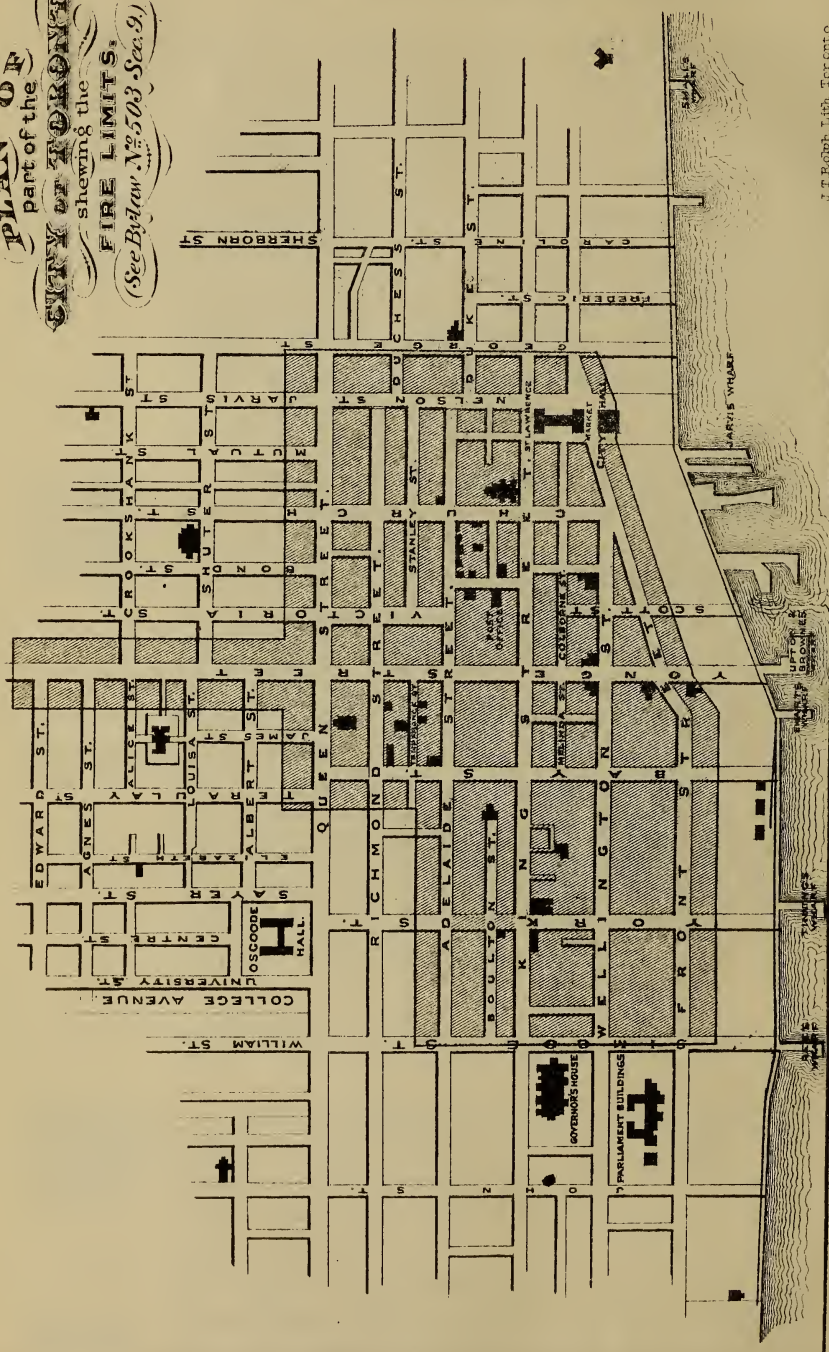
NATURE OF BUILDINGS TO BE ERECTED WITHIN CERTAIN LIMITS.

Buildings within certain limits to be of stone, brick, iron, or other incombustible materials.

Thickness of brick walls.

8. That all buildings whatsoever, at any time heretofore begun, or which shall at any time hereafter be begun or built within the limits prescribed in the ninth section of this by-law, on new or old foundations, or on foundations partly new and partly old, shall be erected and built of stone, brick, iron, or other materials of an incombustible nature, and no wall of any building two stories in height and upwards, built of brick and no external or party walls shall be less than one and a half brick in thickness for the first two stories thereof, and shall not be

PLAN OF
part of the
CITY OF TORONTO
showing the
FIRE LIMITS.
(See Below, No 503 Sec 9.)



less than twelve and one-half inches in actual measurement, and all walls shall be carried up, on the construction aforesaid to the underside of the roof boards, whether front, rear or gable walls, and all gable or parapet walls surmounting roofs of buildings shall not be less than one brick, or nine inches in thickness, and shall be carried to the full height of two feet six inches above the roof on a square line with the roof; and such walls, if built of stone, shall not be less than eighteen inches in thickness carried up to their full thickness to the underside of the roof boards, whether front, rear, or gable walls, and all gable or parapet walls surmounting roofs of buildings, if built of stone shall not be less than sixteen inches in thickness, and shall be carried up to the full height of two feet six inches above the roof on a square line with the roof, and all the exterior walls of sheds abutting on lanes or passages, other than streets, shall be constructed of brick or stone, not less than nine inches in thickness: Provided always, that all buildings built of brick under two stories in height may be built of one brick in thickness, but shall not be less than nine inches in actual measurement.

No. 503.
Erection of
Buildings.

Thickness of
stone walls.

Gable or parapet
walls surmount-
ing roofs of
buildings.

Thickness of ex-
terior walls of
sheds.

Thickness of
walls of build-
ings under two
stories in height.

9. That the following shall be the limits referred to in the preceding section of this By-law, that is to say:— Commencing at a point at the intersection of the northern boundary of Esplanade Street, with a line drawn along the centre of George Street; thence northerly, along the centre line of George Street to a point distant one hundred and twenty feet north of the north side of Queen Street; thence westerly, parallel to Queen Street, to a point distant one hundred and twenty feet from the east side of Yonge Street; thence northerly, parallel to Yonge Street, to the centre line of Gould Street; thence westerly, following the centre line of Gould Street produced, to a point distant one hundred and twenty feet west of the west side of Yonge Street; thence southerly, parallel to Yonge Street, to a point distant one hundred and twenty feet from the north side of Queen Street; thence westerly, parallel to Queen Street, to a point distant one hundred and twenty feet west of the west side of Bay Street produced, thence southerly parallel to Bay Street to a point distant

Limits in which
buildings must be
erected of stone,
brick, iron, or
materials of an
incombustible
nature.

No. 503.
Erection of
Buildings.

one hundred and twenty feet north of the north side of Adelaide Street; thence westerly parallel to Adelaide Street to the centre line of Simcoe Street; thence southerly along the centre line of Simcoe Street to the northern boundary of Esplanade Street; thence easterly along the northern boundary of Esplanade Street, to the place of beginning.

Removal of frame
buildings, or re-
pairs to the value
of one-half of such
buildings, to be
considered a re-
erection.

Inspector to re-
port on repairs.

Differences to be
referred to arbi-
tration.

10. That any removal of any frame building shall be considered a re-erection, subject to the terms of this By-law: and also, that any repairs to any building which it will be necessary to execute to the extent of one-half of the whole value of such buildings, shall be considered a re-construction, subject to the terms of this By-law: and that all such repairs shall be submitted to the said Inspector of Buildings, for his report thereon, and if any difference of opinion arises between the owner of such building and the said Inspector of Buildings, the same shall be referred to arbitration; one arbitrator to be appointed by the owner of such building, and the other by the said Corporation; and in the event of the owner not appointing an arbitrator within one week after being notified of the appointment of an arbitrator by the said Corporation, then both arbitrators to be appointed by the said Corporation; such arbitrators to have the power to appoint a third and indifferent party, as umpire, whose decision shall be final and binding.

PARTY WALLS, ARCHES, AND CHIMNEYS.

Party walls.

Party walls of in-
sufficient thick-
ness.

Ends of timbers
through old
party walls.

External walls,
when to be party
walls.

Parties using
party walls to
contribute to the
expense.

11. That all party walls shall be between house and house, except in such parts where each have independent walls. Party walls not being of sufficient thickness must be taken down when one or more of the adjoining houses require to be rebuilt. Ends of timbers lying through old party walls must be cut off when new buildings are erected against them. External walls cannot become party walls, unless the same have been previously erected to correspond with the stipulations respecting the several thicknesses and heights of party walls. Party walls may be raised by the owner of one side; and if the owner of the other side make use of such party wall, so raised, other than the use

he makes of the chimney flues therein, he must contribute to the expense, the amount to be determined upon by two arbitrators, one to be appointed by the owner of such building, and the other by the said Corporation; and in the event of the owner not appointing an arbitrator in twenty days after being notified of the appointment of an arbitrator by the said Corporation, then both parties to be appointed by the said Corporation, such arbitrators to have power to appoint a third and indifferent party as umpire, whose decision shall be final and binding. The brickwork in all party walls and external walls shall be properly bonded in every case.

No. 503.
Erection of
Buildings.

Amount to be
determined by
arbitration.

Brickwork to be
bonded.

12. That no timber shall at any time hereafter be laid into any party arch except for bond to the same, nor into any party wall, other than such templates, chains and bond timbers, as shall be necessary for the same, and other than the ends of girders, beams, purlins, binding or trimming joists, or other principal timbers, all which timbers shall have at least eight inches and a half of solid brickwork between the ends and sides of every such piece of timber, and the timber of any building adjoining thereto; and the ends of every girder, beam, purlin, binding or trimming joist, and every other piece of principal timber, may be laid beyond the centre of any party wall, so nevertheless that there be left eight inches and a half of solid brick or stone work at the end of every such piece of timber, except in places where any part of the ends of any such timber shall lie opposite to and level with any part of the ends of any timber of any adjoining building, in which case no part of such timber shall approach nearer than four inches and a half to the centre of the said party wall.

Timber in party
arches or party
walls.

Brickwork be-
tween ends and
sides of timbers.

Brickwork be-
tween ends and
ends of timber.

13. That party arches, or the shafts of any chimneys shall not be cut or maimed for any purpose whatsoever, nor shall any party wall be cut or maimed other than for the purposes and in the manner hereinafter mentioned, that is to say: when the front or back wall of any house or building, being in a line with the front or back wall of the house or building adjoining thereto, shall be built, it shall be lawful to cut or break not less than nine inches from the external face of such front or back wall, for the purpose of inserting therein the end of such new

Party arches or
shafts of chim-
neys not to be
cut or maimed.

When party walls
may be cut or
maimed.

Inserting new
walls on old ones.

No. 503.
Erection of
Buildings.

Tailing-in steps,
landings or stairs

Cutting recesses
into party walls.

front or back wall, but in no case shall such breaks be cut more than four inches and a half into the party wall : and it shall be lawful to cut into any party wall for the purpose of tailing-in stone steps or stone landings, or for timbers for bearers to wood stairs, so that no timber bearer be laid into any party wall nearer than nine inches to any chimney or flue whatever, or than eight inches and a half to any timber of an adjoining house, and for the purpose of laying therein stone corbals for the support of chimney jambs, girders, beams, or joists : and it shall be lawful to cut perpendicular recesses into any party wall for the purpose of inserting walls and piers therein, so that nevertheless there shall be no recess more than fourteen inches wide, or more than four inches deep, and that no such recess be nearer than ten feet to any other recess ; but every person who shall cut into any party wall for any of the purposes aforesaid, shall immediately make good every defect which shall be occasioned by the cutting of any such party wall, and no party wall shall be cut for any of the purposes aforesaid, the cutting whereof will injure, displace, or endanger the timbers, chimney flues, or internal finishings of an adjoining house or building.

Warehouses not
to exceed forty
squares of building
without being
separated by
party walls.

Buildings connecting with each
other through a
party wall to
have stone door-
cases and sills,
with iron doors.

Timber bonds
and lintels to
such buildings.

14. That no stack of warehouses or storehouses or other buildings shall contain more than forty squares of building on the ground floor thereof, including internal and external and half the party walls belonging thereto, except such building be separated and divided by party walls, into divisions of not more than forty squares of building each, as aforesaid. No stacks of warehouses or other buildings shall communicate with any other stack of warehouses or other buildings through a party wall, nor shall any stable communicate with any other stable through a party wall, unless the doorcase and sill of every such communication be of stone, and unless there be to every such communication a door of wrought iron of the thickness of a quarter of an inch in the panels thereof ; and no timber bond or lintel shall be laid into the brickwork of any wall, in any such buildings nearer than eighteen inches to the opening of such communication.

BREASTSUMMERS.

No. 503.
Erection of
Buildings.

15. That breastsummers, in all cases, shall be carried on brick or stone walls or piers, or on cast iron columns seated on brick or stone, and shall in no case be carried on story posts or other timber supports: and when the ends of any breastsummers shall approach the centre line of any party wall nearer than four inches and a half, such ends shall be encased and entirely surrounded in cast iron shoes.

Breastsummers,
how to be carried.

CHIMNEYS AND HEARTHES.

16. That no breast of any chimney shall be supported by timber, excepting such piling or planking as may be necessary in the foundations; and all timber must be eight inches at least below the hearth; chimneys back to back in party walls, shall be in the chimney back, at least one brick and a half in thickness, and shall not be less than thirteen inches and a half in actual measurement; chimney backs in party walls not being back to back with any other chimney, shall be at least seven inches clear from the party line. The above specified thickness to be continued to a height of at least twelve inches above the mantel in every case. All flues built in internal, external or party walls, shall be surrounded by brick work not less than seven inches in thickness; and all chimney breasts shall be at least nine inches in thickness.

Chimney breasts,
when supported
by timber.Thickness of
chimneys back
to back in party
walls.Chimney backs
in party walls
not back to back.

Flues in walls.

Thickness of
chimney breasts.

17. That all partitions or withs between flues, shall be at least half a brick in thickness; and every breast and back of any chimney, and every breast back and partition or with of any flue, shall be pargetted within.

Partitions or
withs between
flues.

18. That chimney hearths shall, in all cases, be laid wholly on brick or stone, unless the same be in a cellar or basement story, and be laid and bedded in solid earth; and every chimney shall have a slab or slabs, or foot-pieces before the same, of stone, brick, marble, or iron, of at least one foot six inches broad, and at least thirteen inches beyond each end of every fire-place opening.

Chimney hearths
how to be built.

19. That all chimney stacks shall be carried to a height of not less than four feet above the ridge or deck of any

Height of chimney
stacks.

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Erection of
Buildings.

roof carried by, connected with or abutting upon the wall to which the said chimney stack is attached.

BOILERS AND OVENS.

Timber not to be
laid near fur-
naces, &c.

20. That no timber shall be laid within two feet of the inside of any oven, copper, still, boiler, or furnace, nor within nine inches of the opening of any chimney, or within four inches and a-half of the inside of any flue.

ROOFS AND VERANDAHS.

Roofs, construc-
tion of.

21. That all roofs of buildings, roofs of lanthorns, coverings of domes, spires, flats of towers, platforms or deck roofs, or other coverings of buildings within the said City of Toronto, shall be finished externally with tin, iron, zinc, copper, slate or tile, or shall be shingled on hair mortar plaster, not less than one-half of an inch in thickness; or with any other material of an incombustible nature, and no roof of any building already erected, within the limits as afore-said, shall be relaid or recovered at any future period, except with the materials before enumerated.

Verandahs, con-
struction of.

22. That no covered gallery or verandah, constructed or covered with timber, or other combustible material shall be erected in connection with any house, warehouse, or other building, on any other floor than the ground floor thereof, unless the same shall be wholly covered with some incombustible material, as set forth in the preceding section of this By-law.

BAY WINDOWS AND OTHER PROJECTIONS.

Shop windows
projecting.

23. That no shop window or shop front of any building, in any street or way of the width of sixty-six feet, and over, shall project at the plinth or stall-board more than six inches beyond the line of street, and no shop window or shop front of any building, in any street of a width less than sixty-six feet, shall project more than three inches. Bay windows, or other projections of a similar nature, except such as are herein particularly mentioned, shall be built of the same materials and subject to the same regulations as the house or building to which the same shall be attached.

Bay windows,
construction of.

24. That no window-sills, dressings, string-courses, eave-troughs, cornices, or other details or ornaments, in any way projecting from the face of external walls, or surmounting the same, shall be fixed to any such walls above the line of shop fronts of any buildings, or surmounting the party walls thereof, unless such details, dressings or ornaments shall be constructed of stone, brick, or iron, or shall be completely covered with iron, tin, zinc, copper, or other material of an incombustible nature.

No. 503.
Erection of
Buildings.
Window-sills,
eave-troughs, &c.
construction of.

CRANES.

25. That all cranes and hoisting-gibs projecting from the face of any external wall of any house, warehouse, storehouse, or other building, shall be constructed of iron or other incombustible material, or covered internally and externally with incombustible material, if the same shall be affixed to or connected with such external wall, above the level of the ceiling line of the ground floor.

Cranes and hoisting-gibs, construction of.

STOVES.

26. That no person or persons shall hereafter place any stove in any house or building, in the said City, without leaving nine inches clear from any wood-work immediately above such stove, and seven inches from any wood-work opposite the sides of the same, and at least eight inches from the floor, and all stoves shall be furnished with a metal ash-pan, or flooring, to be placed under the door of the said stove.

Stoves not to be placed near any wood-work,

and to have a metal ash-pan or flooring under the stove door.

STOVE-PIPES, STEAM-PIPES AND FUNNELS.

27. That no pipe or funnel, for conveying smoke or steam, shall be at any time fixed next any public street or way, on the front of any building; nor shall any funnel, pipe, or flue for conveying fire, smoke, steam, or hot air, be fixed on the inside of any building nearer than fourteen inches to the face of any timbers of roofs, ceilings, or partitions; nor shall any such funnel, pipe, or flue, pass through any timber framing, or partition of wood, or wood and lime, or through any wooden floor, in any house, outhouse, fence, or building whatever, within the said City, without leaving

Pipes or funnels, erection of.

No. 503.
Erection of
Buildings.

at least six inches clear between the said funnel, pipe, or flue, and such framing, partition, or floor, and unless the same shall pass through a chimney of stone, or brick and mortar, or unless the same shall be encircled by a rim of solid stone, or brick, or metal, not less than three inches wide, nor less in thickness than the full finished thickness of the framing through which such pipe shall pass.

Pipe-holes not in
use to be stopped
up.

28. That no occupant or occupants of any house or building within the said City shall permit any pipe-hole not in use in any chimney in such house or building to remain open, and not closed with a stopper of metal or other incombustible material.

ASHES.

Ash-pits, con-
struction of.

29. That every house, warehouse, storehouse, or other building now built, or hereafter to be built within the said City, shall be provided with a proper ash-pit, surrounded with brick or stone walls, not less than fourteen inches in thickness, and three feet in the ground, arched over with brick or stone walls, not less than fourteen inches in thickness, or with a single flagstone covering not less than four inches in thickness, with iron door and frame to each, and entirely free and unconnected with any materials of a combustible nature, or with a suitable iron box or pail, not to contain more than two bushels; and no person within the said city, not having an ash-pit as above prescribed, shall be allowed to keep more than two bushels of ashes in his, her, or their premises.

Persons not hav-
ing an ash-pit not
to keep more
than two bushels
of ashes on their
premises.

Ashes not to be
kept in wooden
vessels or near
any combustible
material.

30. That no person or persons shall place or keep any ashes removed from any stove or fire-place in any wooden box, or other wooden vessel, or near any wooden partition in his, her, or their house or houses, in the said City, or in any out-house or shed, or shall place, or permit to be placed, any hay, straw, or other combustible material, uncovered in his, her, or their court-yard, or lot of ground, within one hundred feet of any building.

LADDERS.

Ladders to build-
ings.

31. That no proprietor or proprietors of any house or building or block of buildings, in which there shall be one

or more chimneys, within the said City, shall neglect, or fail to have to and on his, her, or their house or building, or block of buildings as aforesaid, one or more ladders, or shall neglect to have all ladders to chimneys well and safely fastened thereto with iron hooks, or shall neglect or refuse for thirty days after being required by the said Inspector of Buildings, to furnish or repair the same, as the case may be.

No. 502.
Erection of
Buildings.

ENGINES AND FURNACES.

32. That no person shall, without leave of the said Council, by resolution thereof, set up or work any steam-engine in the said City, or erect, construct or build, or aid in the erection, construction or building of any fire-place, hearth or chimney, to be used in any iron foundry, furnace blacksmith's shop, or in the casting of molten iron or other metals, or shall make, light or kindle any fire in or upon any fire-place, chimney, or furnace, made or constructed for the purposes aforesaid.

Steam-engines,
furnaces, &c., not
to be erected
without leave of
the Council.

33. That any person who shall set up or work, erect, construct, or build, or continue to use, or cause or procure to be erected, constructed, built, or continued, any such steam-engine, fire-place, hearth chimney or furnace, contrary to the true intent and meaning of this By-law, shall be subject to the penalty hereinafter mentioned.

Penalty for erect-
ing or using
steam-engines,
&c., without
leave.

LUMBER YARDS.

34. That no person shall hereafter, within the limits prescribed in the ninth section of this By-law, establish a lumber yard, or collect, or allow to be collected, any large quantity of lumber upon any lot, within a distance of ten feet from any building.

Lumber yards
not to be estab-
lished within
certain limits.

TANNERIES AND MANUFACTORIES.

35. That no person shall, without the leave of the said Council, by resolution thereof, establish, set up, carry on or continue within the said City, any tannery, fellmongery, or place for boiling soap, making or running candles, or for the melting of tallow, or any manufactory of varnish, fire-

Tanneries, &c.,
not to be estab-
lished without
leave of the
Council.

No. 503.
Erection of
Buildings.

works, or any coal oil refinery or refineries, or any other factory which from its nature, or the materials used therein, shall be dangerous in causing or promoting fires.

INFLAMMABLE SUBSTANCES.

Coal oil, &c.,
except in limited
quantities, not to
be kept within
certain limits of
the City.

36. That no larger quantity than ten barrels of rock oil, coal oil, water oil, or of other such oils, nor any larger quantity than one barrel of crude oil, burning fluid, naphtha, benzole, benzine or other similar combustible or dangerous materials shall be kept at any one time in any house, shop or building, or in any other place whatsoever, within that portion of the City of Toronto, bounded on the south by a line running east and west, one hundred feet south of the south side of Front and Palace Streets, on the west by the west side of Bathurst Street continued, on the north by the northern limits of the City, and on the east by the west side of Berkeley Street; nor shall any of the before mentioned fluids be permitted to drain or empty into any drain or sewer of the said City.

Coal oil, &c., not
to be emptied
into drains or
sewers.

Certain buildings
may be used for
the storage of
coal oil, &c., in
any quantities.

37. That notwithstanding anything in the preceding section contained, when buildings used for the purpose of keeping or storing rock oil, coal oil, water oil, or other such oils, shall be isolated or detached at least twenty-five feet from any other building, or when such buildings are used for the storage of burning fluid, crude oil, naphtha, benzole, benzine, or other similar combustible or dangerous materials, shall be isolated or detached at least one hundred feet from all other buildings, and when all such buildings shall be constructed fire-proof, and so as to insure a thorough ventilation thereof at all times, then any of the said fluids may be kept and stored in such buildings in any quantities whatever; but all portions of the Esplanade lying south of the line one hundred feet south of the south side of Front and Palace Streets, shall be exempt from the restrictions of this By-law, so far as relates to rock oil, coal oil, or water oil, but not as far as it relates to burning fluid, crude oil, naphtha, benzole, benzine, or other similar materials referred to in this section.

Certain oils may
be kept on the
Esplanade.

38. That no fire shall be taken, lighted, or used within the said last mentioned storage buildings, either for heat, light, or for any other purpose whatever.

No. 503.
Erection of
Buildings.

Fire in buildings
used for storage
of oil.

39. That every person desiring to keep or store, in the manner provided by the thirty-seventh section of this By-law, any of the fluids mentioned in the said thirty-seventh section, and every person desiring to keep or store, for the purposes of sale, any of the fluids mentioned in the thirty-sixth section of this By-law, shall make a written application to the Standing Committee on Fire, Water and Gas, for permission so to do, and shall state in such application the storehouse, shop, building or place in which he desires to keep or store the said fluids, or any of them, and it shall be the duty of the said City Inspector, upon any such application being made, or at any other time if required so to do, to examine the premises of the applicant and report to the said Committee thereon, and upon such report the said Committee shall take action, and grant or refuse permission, as to them may seem meet, subject however, to the approval of the Council.

Persons desiring
to keep, store or
sell coal oil, &c., to
make application
to the Committee
on Fire, Water
and Gas.

City Inspector
to examine the
premises and re-
port to the Com-
mittee.

GUNPOWDER.

40. That no person shall have or keep any quantity of gunpowder exceeding twenty-eight pounds in weight, in any one place, for any longer period than forty-eight hours, except in such powder magazine as may be approved of by the said Council.

Gunpowder over
twenty-eight
pounds in weight
to be kept in a
magazine.

STEAMERS.

41. That no steamer shall be at any dock or wharf in front of the said City, without having a top or screen attached to the chimney or chimneys of such steamer, to prevent the escape of sparks, until the steamer shall have got clear of the docks or wharves.

Steamers to have
screens to their
chimneys.

SMOKING OR CARRYING LIGHTS.

42. That no person shall smoke, or have in his or her possession, any lighted pipe or cigar, in any stable, carpenter or cabinet-maker's shop, or other shop or building where straw, shavings or other combustible material may be, or shall carry or keep, or suffer to be carried or kept, any lighted lamp in any livery or other stable within the

Smoking and
lights in stables,
&c.

No. 503.
Erection of
Buildings.

said City, unless such lamp or candle shall be enclosed in a lantern or shade, so as to prevent any accident from fire therefrom.

PENALTY.

Penalty.

43. That any person or persons guilty of an infraction of any of the provisions of this By-law shall, upon conviction before the Mayor, Police Magistrate, or any Justice or Justices of the Peace for the City of Toronto, on the oath or affirmation of any credible witness, forfeit and pay, at the discretion of the said Mayor, Police Magistrate, Justice or Justices convicting, a penalty not exceeding the sum of fifty dollars for each offence, together with the costs of prosecution; and in default of payment thereof forthwith, it shall and may be lawful for the Mayor, Police Magistrate, or Justice convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate, and Justice or Justices, or any two or more of them, are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress and sale of the offender's or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid, to commit the offender or offenders to the common jail of the said City of Toronto, with or without hard labour, for any period not exceeding six calendar months, unless the said penalty and costs be sooner paid.

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BY-LAWS OF THE CITY OF TORONTO

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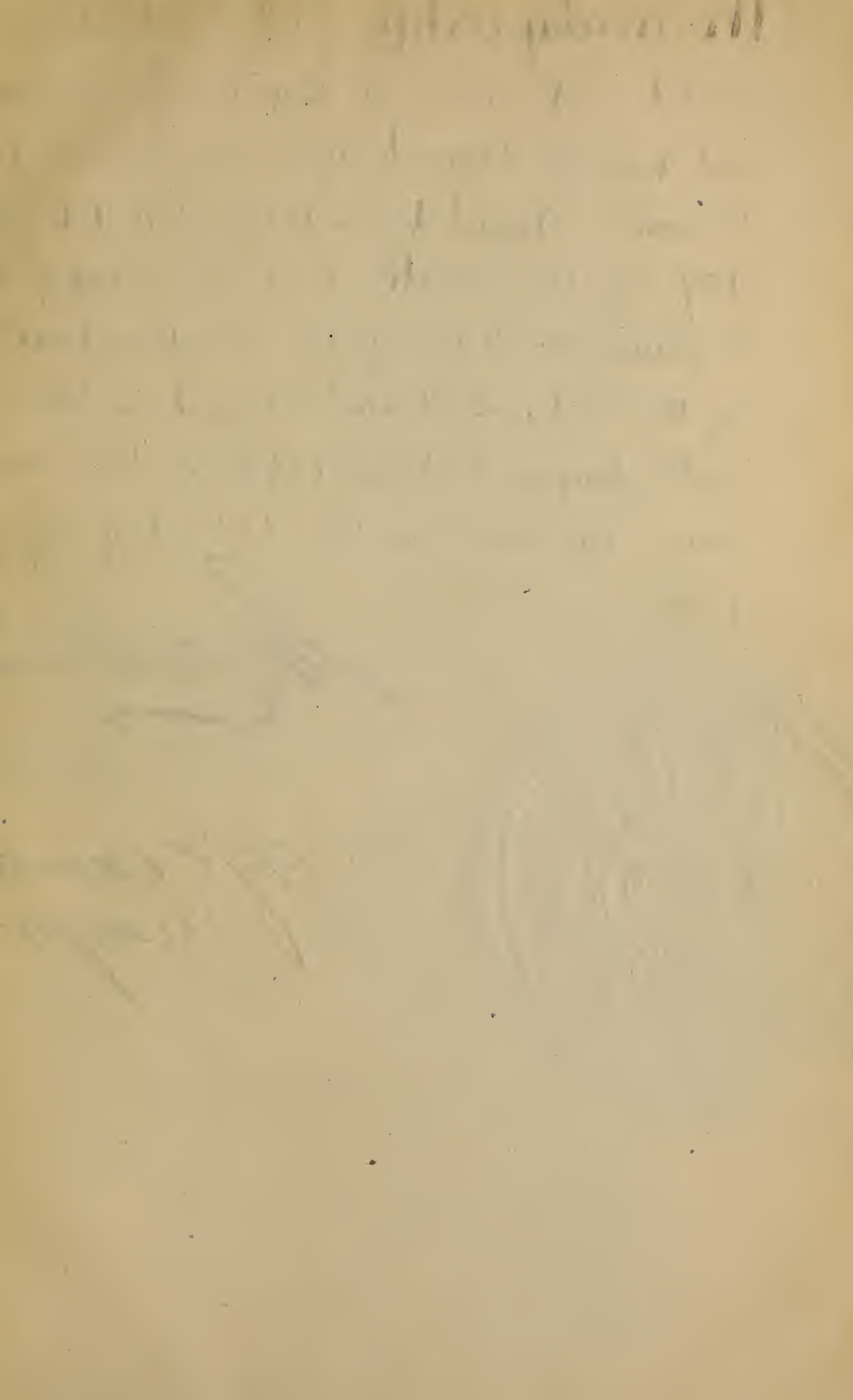
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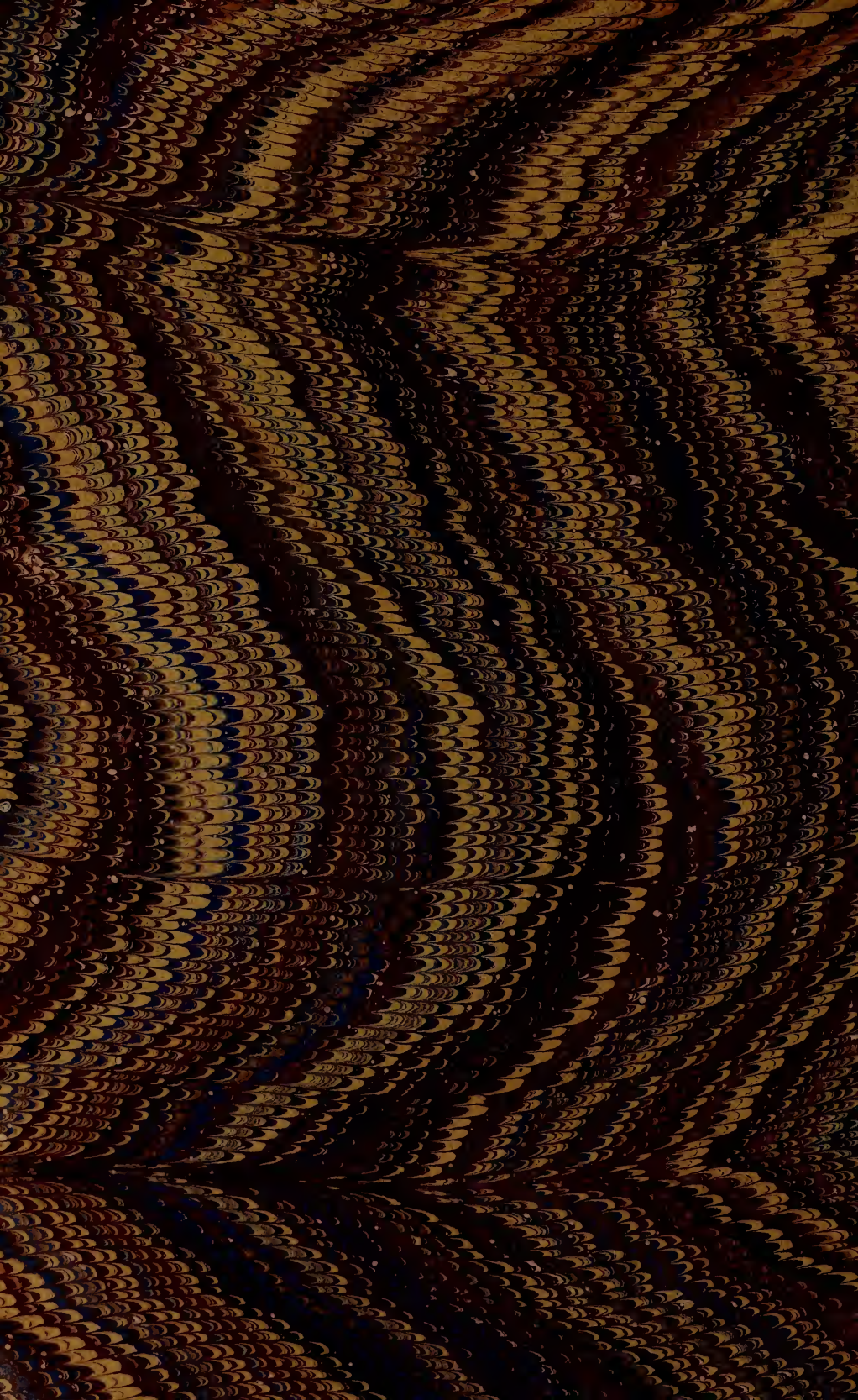


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headed "No. 478, a Bylaw to restrain
and punish Vagrants and other disorderly
persons" printed on pages 105, 106, and
107 of this book is a true copy of
Bylaw No. 478 of the Corporation
of the City of Toronto, passed on the
20th day of October 1868, as the same
was in force on the 13th day of June
1888.



W. Blewett
City Clerk

J. C. Clark
Mayor



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